

A
NARRATIVE
OF
OCCURRENCES
IN THE
INDIAN COUNTRIES OF NORTH AMERICA,
SINCE THE CONNEXION OF
THE RIGHT HON. THE EARL OF SELKIRK
WITH THE
HUDSON'S BAY COMPANY,
AND
HIS ATTEMPT TO ESTABLISH A COLONY ON THE RED RIVER;
WITH A DETAILED ACCOUNT
OF
HIS LORDSHIP'S MILITARY EXPEDITION TO, AND SUBSEQUENT
PROCEEDINGS AT FORT WILLIAM, IN UPPER CANADA.

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PREFACE.

AFTER the appearance of Lord Selkirk's Pamphlet, entitled, "A Sketch of the British Fur Trade in North America; with Observations relative to the North-West Company of Montreal," and some other Publications which issued from the press about the same time on the same subject, the Author of the following pages had proposed to reply to them; but Sir Alexander M'Kenzie, to whose authority Lord Selkirk so often appeals, and whom he so often misrepresents, was desirous of taking up the discussion; an intention, the execution of which, circumstances alone have hitherto delayed. Upon further consideration of the subsequent transactions in which Lord Selkirk was involved, and of the unfortunate occurrences in the Interior of the North-West Country, all of which must become the subject of examination in Courts of Justice in England, it was deemed unfair by the Representatives of the North-West Company, to publish an *ex parte* statement of evidence, which might influ-

ence public opinion before the merits of the case could be legally investigated.

After the notice, however, which had been taken of these transactions in the public prints and journals, particularly in the 31st Number of the Quarterly Review, in which the most offensive parts of Lord Selkirk's statements were republished, with remarks calculated to mislead the public mind, and to prejudge the merits of the questions at issue, it became impossible longer to defer submitting to the Public a faithful Narrative of the Proceedings of the Earl of Selkirk in North America; from which it will be seen, with what truth or justice he is entitled to assume the character of an Accuser, and to represent himself as the object of unprovoked aggression.

The Representatives of the North-West Company have been furnished by their Constituents with the most ample materials for their defence; and their longer silence would be injurious to themselves, and unjust to their Connexions in Canada. The following detail of facts and occurrences since Lord Selkirk's connexion with the Indian Trade and the Hudson's Bay Company, has therefore been hastily thrown together, and, as far as the Author has either knowledge or information,

is a correct account of them. It has been necessary to throw the Documents proving their authenticity, into an Appendix, which is annexed to the publication. To that Appendix the reader's attention is earnestly entreated; and it will be found to contain positive proof of almost every fact asserted in the text. Whether, after perusing it, the opinion expressed by the Quarterly Review, "that no one will doubt that Lord Selkirk is an amiable, honourable, and intelligent man," will obtain universal and unqualified assent, the Author will not take upon himself to determine. He is at all events confident, that few persons, not even excepting the Reviewers, after an attentive perusal of the evidence to substantiate the statements of Lord Selkirk's own conduct in the transactions hereafter related, will agree to find, without other proof than his Lordship's assertions, (*what the Reviewers themselves term*) Lord Selkirk's Bill of Indictment against his Rivals in Trade. If indeed the literary judges alluded to had kept in mind the salutary maxim, of hearing both sides before deciding, they would hardly have given currency to his Lordship's libels against respectable Merchants in this country and their Constituents in Canada, far

less have added fresh and unfounded criminations of their own to his Lordship's interested and suspicious invectives.

The following extract from that Review ;

“ At Montreal, we presume, he writes his ‘ Sketch of the Fur Trade,’ which is well calculated to bring down public indignation on the heads of those who conduct, or who are concerned in it. The pains that appear to be taken, and the plans that are laid, to seduce the inoffensive savages into habits of vice, in order that the ‘ Traders’ may the more easily exercise a brutal tyranny over them ; and the ferocious and unfeeling conduct of the Canadian Rivals in the Fur Trade towards each other, setting at defiance all religion, morality, and law, are stated in such terms and on such evidence, that they are not only ‘ deserving the early attention of the public,’ but will command it, and we doubt not, call forth the immediate interference of the Legislature”—

is both, as to any evidence given in Lord Selkirk's pamphlet, as in fact, untrue.

Sir Alexander M'Kenzie has certainly accused the Traders who penetrated into the country immediately after the conquest of Canada, of violence and excesses ; but he has also shewn, that the present Association was formed to repress those irregularities and enormities, and although subsequently to the formation of that Association, an opposition took place in the Trade, which to a certain degree renewed those scenes ; yet on the junction

of the two parties, they immediately ceased, and until Lord Selkirk's interference, tranquillity and peace were universally established.

The Quarterly Review supposes Lord Selkirk to have ~~been~~ the first person to complain of the lawless proceedings he denounces. The Office of the Colonial Secretary would shew abundant proof of complaints preferred against such abuses, *and beyond complaints*, of substantial remedies proposed to remove the cause of them. The Act of the 43rd of the King, was passed at the earnest entreaty of the Merchants in England, interested in the Trade. Their characters are not unknown, and they can refer to their conduct before the Public, for proof no less equivocal than any that can be advanced by Lord Selkirk, of their zeal and exertions to promote the true interests of philanthropy and humanity.

His Lordship has, however, thought proper to bring directly against them, a charge, (one of the most heavy to be found in his libel), of encouraging the use of spirituous liquors among the Indian Tribes, or at least, of opposing any regulations which might be proposed to limit or prohibit it. Of the falsehood of this accusation,

it is in their power to bring abundant proof. Some years ago, when they could little expect his Lordship's views were different from those ascribed to him by his present supporters, several meetings took place between the Noble Lord and some of the persons in London, to whom he has alluded, the object of which was, to consider and adopt suggestions and regulations, for the prevention of a practice, in truth, as little consonant to the interests, as to the feelings of the Gentlemen accused. At one of these meetings Mr. Wilberforce was present, and he will probably have some recollection of the readiness expressed by the Canadian Merchants, to concur in any practicable plan, by which so desirable an arrangement could be effected, but that they then doubted, as they still doubt, the efficacy, and therefore the policy, of any legislative interference in the matter. They stated, and they know that it would be extremely difficult, if not impossible, to enforce the provisions of an Act of Parliament, which might be readily obeyed by 'one class of persons, and evaded by another. There are certain Indians, or rather mixed population of Indians and Canadians, in the Plains, on whom the Traders are dependant for

food, and with whose habits and customs it would be dangerous, suddenly to interfere. If such interference were to take place, the Trade must be exposed to the rivalry of American Citizens on the Mississouri, who would have little scruple in making use of any means to acquire or preserve an influence otherwise unattainable. Subsequently, indeed, the very Colony established by Lord Selkirk, would have rendered any legislative provisions inefficient. Does his Lordship really suppose it would have been possible to prevent his Colonists, *such as they are described to be*, from clandestinely distilling their grain, (for which they could have no sale or demand), when they cannot be deterred from doing so at home, with all the vigilance and severity which the Law can exercise to prevent this practice? If, however, the use of spirituous liquors could not be wholly dispensed with, or prohibited, it might at least, by judicious regulations, and a proper understanding between the Traders, be restrained; and this, at the meeting which took place, as above mentioned, the Merchants offered their best endeavours to effect.

Great improvements had taken place in this

respect before Lord Selkirk's interference, which it is essential to state, that he may not lay claim to the little merit the reviled Fur Traders are entitled to on the subject. It was shewn by accounts produced at the meeting, that the quantity of spirituous liquors introduced into the North-West Country, had in the two preceding years been reduced from 50,000 to 10,000 gallons; no great quantity, considering there were at that time 2000 white persons in their employment, of which the greater number were to pass the winter in a Siberian climate. It is true, they had succeeded in so rapidly and effectually reducing the quantity, in consequence of the union of the Companies; but after that union, it was the first reform they made, conscious that the success of their Trade, and the security of their persons and property, were equally promoted with their own wishes on the subject, by moral improvement in the habits of the Indians. Will the reader believe, or rather, will the Editors of the Quarterly Review believe, that at that very meeting, the Merchants stated, and were ready to prove, that the introduction of spirituous liquors amongst any tribe or nation of Indians discovered for the first time in their remote researches by

the North-West Company, was strictly prohibited? Indeed, so faithfully has this principle been maintained, that to this hour the use of it is unknown to them.

So much it was necessary to observe in this Preface, in answer to the unfounded calumnies on this interesting subject. The Author is less solicitous upon the other points urged by Lord Selkirk and his friends: the Courts of Justice in Canada will have no difficulty in rebutting the charges by which they are assailed; and the Editors of the Quarterly Review must surely be aware, that if such transactions as are detailed in this pamphlet by Lord Selkirk, are justified by truth, an appeal to His Majesty's Government, for the reform of abuses so scandalous, or the public exposure of them by Lord Selkirk in his place in Parliament, would have been a much more proper course for the Noble Lord to pursue, than that he has thought it not beneath the dignity of his station to adopt.

The colouring attempted to be given to the lamentable scene in which Mr. Semple perished, will be removed by the facts of the case, as detailed in the Narrative; and it is hardly necessary to refute the misrepresentation on this subject, into

which Lord Selkirk's friend in the Quarterly Review has been led by his zeal in the cause, and of which Lord Selkirk himself is not guilty. It is stated, that when *his Lordship received intelligence of this event at Montreal*, he engaged, and took with him, the Meuron soldiers, to ensure the apprehension of the persons engaged in it. This happens to be utterly destitute of truth : Lord Selkirk, without any knowledge of this transaction, or the least reason to presume (*unless indeed from the instructions he had given, which might produce such mischief*), that any affray or quarrel could have taken place, engaged these mercenaries at Montreal, for the purposes to which their services were afterwards applied.

This fatal catastrophe has, however, been artfully improved by Lord Selkirk. He seems to have expected, that the public compassion for the tragical death of an amiable and meritorious individual, would shield his Lordship's prior usurpations and subsequent outrages, from all investigation. He hoped that those, to whom in a body he ascribed the premeditated murder of that Gentleman, would be so overpowered by the clamour against their own imputed guilt, that they should raise their voice in vain to seek justice and indem-

· · · · · justification for his Lordship's unparalleled invasions of their rights and property.

The delusion of these artifices and misrepresentations, however, will speedily pass away; and Lord Selkirk, after preferring charges, for which there does not exist a shadow of proof, will, in his turn, be called upon to answer for having advanced such an unfounded accusation. In the mean time, while Lord Selkirk exhibits the melancholy incident of Mr. Semple's death with theatrical decorations, to excite the popular feeling of this country in his own favour, the Members of the North-West Company sincerely regret the fate of a man, who appears to have been qualified to be a useful and honourable member of society, and who fell a sacrifice to the implicit fidelity with which he seems to have executed the commission with which he was entrusted. Mr. Semple appears to have been convinced that he was defending the sacred legal rights of his employer; and that to have permitted the Servants of the North-West Company to have used the liberty of passage on the soil claimed by Lord Selkirk, *as they and their predecessors had done for near a century*, would have been a violation of his duty. The feeling of devotion and fidelity was honour-

able to Mr. Semple, but if in truth he was made the instrument of illegal, unwarranted, and forcible aggressions, upon the undoubted rights of his fellow-subjects, it is to be lamented, that such a man should have fallen in asserting the unfounded claims of others.

The Writer is aware, that this Preface has extended to an unusual length, but he trusts that the reasons stated will be admitted as a sufficient apology. The object of the following pages, is not to refute the charges and calumnies of Lord Selkirk against the North-West Company in general, but to exhibit a faithful Narrative of the occurrences which had taken place, since the Earl of Selkirk was first brought into their neighbourhood by his political or commercial speculations. Other parts of Lord Selkirk's publication will receive the refutation of which they are so capable. In executing the task which the Author has undertaken, he has aimed chiefly at truth and accuracy in his statement of facts; and he trusts, that the faults of arrangement and style, which must be discerned in this publication, will be overlooked in the composition of one who has not been accustomed to write for the Public.

A

NARRATIVE,

&c. &c.

PREVIOUS to the year 1806, the Earl of Selkirk had been engaged in various landed and colonizing speculations in British North America, in the prosecution of which he visited Canada. In the course of his travels, his attention was naturally directed to the situation of the Trade, and particularly to that carried on with the Indians in the barter of Manufactured Goods and other articles, for Furs and Peltries, which, ever since the discovery and establishment of the Colony by the French, had been considered the chief branch of its commerce.

During his Lordship's residence in Montreal, he was received with the hospitality which so much characterizes the inhabitants of that city; and to none was he indebted for more pointed attention and civility, than to the Merchants connected with the Fur Trade, and more especially the Partners of the North-West Company. His enquiries into the nature and extent of the trade, and their particular Establishment, which had always been an

object of curiosity to strangers visiting Canada, were readily answered by these Gentlemen, who withheld no information which could gratify the liberal and useful researches of a noble traveller. They remarked at the time, that these enquiries were more extended than usual; but they little expected that their confidential communications to a person expressing his admiration at the result of their exertions, and his sincere friendship and thankful acknowledgments to themselves, should have awakened the spirit of self-interest, which has subsequently been so apparent; still less did they suppose they were placing means in the hands of a commercial rival, to be applied first in opposition to their trade, and, after the failure of that experiment, in an attempt to effect the ruin of their establishment.

On the Noble Lord's return to England, he prosecuted with much anxiety the enquiries he had commenced in Canada, connected with this subject; and the situation of the Hudson's Bay Company, with the great advantages under which the Fur Trade might be conducted from Hudson's Bay, when compared with the obstacles and difficulties opposed to the Canadian Merchants, soon presented themselves to his discernment. The route to the remote and most valuable trading stations in the North-West Country was nearly two thousand miles more distant by interior communication, from Montreal than from Hudson's Bay; and it was evident, if the assumed

rights of this Chartered Company to the *exclusive commerce and navigation of the Bay* were legal, by a strict enforcement of them, the whole Fur Trade might be diverted into that channel. His Lordship communicated his ideas on the subject, though very partially, to a gentleman then in England, who had been long interested in the North-West Company, and to whom the public are indebted for a description of the country, and of his own voyages and discoveries. In consequence of this communication, an agreement was subsequently entered into by Lord Selkirk and this gentleman, to speculate in the Stock of the Hudson's Bay Company, without any definite object on the part of his Lordship's associate, beyond possibly a re-sale at an enhanced price, when a sufficient amount should have been procured to enable them to exercise a beneficial influence in the management of the Company's concerns, and thereby to increase the value of their stock.

The moment was peculiarly favourable for their purpose: the Stock of the Company had fallen from 250 per cent. to between 50 and 60, in consequence of misfortune, or mismanagement of their affairs, which were in a state of rapid decay, and considered bordering upon insolvency, no Dividend having been paid for several years. Under such circumstances, considerable purchases were easily made by the parties; but his Lordship's

views becoming enlarged with the extended knowledge he obtained of the supposed rights conferred upon the Company by Charter, a disagreement took place as to the further objects they had originally in view; and, after some legal proceedings, an arrangement was made between the parties, by which Lord Selkirk became proprietor of the greatest part of the Stock acquired on their joint account.

Being thus disengaged from any connection which could interfere with his views, and having established for himself a sufficient footing in the affairs of the Company, Lord Selkirk extended his purchases to the amount nearly of 40,000*l.* the whole amount of the Company's Stock being rather under 100,000*l.* Several Members of the Committee immediately made way for the appointment of his near relatives and friends to the Direction, and from this period, his Lordship may be considered as possessing an unlimited influence and controul in the management of the affairs, and disposal of the property of the Company. Although more activity was perceived in the general conduct of their concerns, some time elapsed before his Lordship's ultimate objects and plans were disclosed; but his preparations being then made, a General Court was convened by public notice, in the month of May 1811. The Proprietors were informed at this Meeting, that the Governor and Committee considered it beneficial to their gene-

ral interests, to grant to his Lordship in fee simple, about 116,000 square miles of what *was supposed* to be their territory, on condition that he should establish a Colony on the Grant, and furnish, on certain terms, from among the Settlers, such labourers as are required by the Company in their trade. The Proprietors did not see in these conditions any sufficient consideration for the Grant; and every one present, with the exception of the Noble Lord and the Committee, signed and delivered a Protest* against it to the Court. Notwithstanding this opposition the Grant was confirmed, and his Lordship became the ideal proprietor of a domain exceeding in extent the kingdom of England, with only one objection to the title, that with respect to the right of the grantors, they had equal power to assign him a similar kingdom in the moon.

In addition to the Protest offered by the Proprietors, remonstrances were made against the wild and hopeless project of establishing the proposed Colony, by every person interested in the trade of the country; and it may be desirable here to state the situation and circumstances, under the full knowledge of which, Lord Selkirk determined to persevere in his schemes.

The distance between the spot where the first Settlement was afterwards formed, and York Factory, in Hudson's Bay, the point of communication

* Appendix, No. I

with the sea, is, by actual admeasurement, 725 miles: and the navigation, such as it is, may be called open between the months of June and October; but during much of that season, the brooks, forming the communication, are nearly dry, and the whole route is only practicable in small boats or canoes. The journey, or voyage, is performed by loaded boats in about thirty days, and provisions must be taken for the whole time, as none are to be procured on the route. There are numerous portages, where the boats or canoes, in the best season, must be carried or hauled over the land*. The distance of the Red River from Lake Superior, is rather greater than from Hudson's Bay: and from Montreal, by the nearest route, (that of Lake Superior), about 2300 miles. The distance from the nearest inhabited part of Upper Canada, which may possibly be another Colony of Lord Selkirk's, called Ball-Down, is about 1600 miles. It must be very obvious, from the distances here described, and the difficulty of communication, which is only practicable in birch-bark canoes, that no market could be found, beyond the immediate consumption of the Colonists, for the agricultural produce of a Settlement so situated. The climate is undoubtedly healthy, although during winter the severity of the frost, and prevailing gales of wind, is very great: the Forks of the Red River being situated in latitude 50

* See particulars in Appendix, No. III. Admeasurement made by Mr. Thompson, Geographer to the North-West Company.

West, about three degrees north of Quebec. The country in the neighbourhood of the proposed Settlement, consists of extensive plains, and the soil, excepting partially on the banks of the rivers, is light and unproductive. The scarcity of wood, in a country in every other situation abounding with it, is the best proof of the quality of the soil, the natural produce of which is only a coarse benty grass, the food of innumerable herds of buffaloe which are fed on the plains. Different tribes of Indians are scattered over this district, and establish themselves in hunting parties and encampments, to procure provisions for the Traders of the North-West and Hudson's Bay Companies, who have several Forts or Posts there, maintained more for this object than for that of procuring Peltries; there is also some trade in Furs, principally wolf and fox-skins; and occasionally Indians from the head of the Mississippi, and the Mississouri Rivers, bring the produce of their hunt to trade at the Red River Establishments. All these natives are much molested, and frequently attacked by other bands of the plains, called, from their habits, *les Pilleurs*, or Plunderers; who, from living in a country abounding with horses, which enable them to lead a wandering and predatory life, and being well supplied with food and clothing from the herds of buffaloe in the plains, are independent of assistance from, and connexion with the Traders. Their

incursions are rapid and destructive, and the nature of the country permits them to cover their retreat, by setting fire to the grass, which is often done for this purpose, and in their defence, by the natives. A gentleman describing this practice, says, " I have often seen the grass set on fire, both
 " from the drunken freak of a capricious Indian,
 " and to cover the retreat of a war-party; and
 " in high gales of wind, the flames spreading with
 " the rapidity of a horse in a round gallop, till
 " five or six hundred square miles were burnt
 " without interruption."

The Fur Traders of all parties were not backward in representing to Lord Selkirk and the Committee of the Hudson's Bay Company, their objections to their attempt to colonize this remote and inhospitable region, which might in its consequences endanger their interests and security. It was proposed to send out poor and ignorant Settlers, who could be subject to no legal controul, and unaccustomed to the manners and habits of the Indians, always jealous of agricultural encroachment on their hunting grounds.

The Traders, especially those connected with Canada, had, by long intercourse, acquired the confidence of those Tribes; they were acquainted with their manners, and knew how to avoid the occasions of dissention and irritation, which the ignorance of strangers so frequently ministers to their jealous and irritable character. It was ob-

vions to them that an attempt by a body of Englishmen, to establish a Colony in the heart of the Indian Territory, was in itself pregnant with danger to all those by whom these regions were frequented. When the probable result of the attempt was contemplated—when it was considered that the new Settlers, compelled by want, disgust, and despair, might be brought into collision with the Indian Tribes, and the mixed population sprung from the intercourse of the Traders with the Indian women, and some of whom are engaged in the service of the North-West Company—it was easy to see, that this extravagant scheme subjected the Trader equally with the Colonist, to extreme hazard and danger.

To the North-West Company this establishment was peculiarly objectionable: they denied the right, either of the Hudson's Bay Company or Lord Selkirk, to *any part* of the Territory ceded to him, of which their predecessors and themselves had been in occupancy for at least a century. They were aware, that it was further intended to enforce against them the penalties provided by the Charter, of seizure of their persons and confiscation of their property, as *interlopers* on the Territories absurdly claimed by the Company; and they saw in the terms on which the Grant was made, that the establishment of this Colony was only a pretext to induce Settlers to emigrate, and thus to introduce into the country at an inconsiderable expence, a sufficient number of persons to carry into effect

the Noble Lords' plans of aggression and competition against their trade.

The North-West Company was founded in 1783, by an association of Traders, prior to that time engaged in rival undertakings, and who, on the conquest of Canada, following the footsteps of their predecessors, the French Colonists, had engaged in the trade. Every Legal Opinion* they had been able to obtain, strengthened their determination to resist these proceedings; and the following Abstract of the History and Discovery of the Country, will show the grounds on which they founded their opposition, and will appear at least to justify it, till a legal decision had been obtained by the Hudson's Bay Company, or Lord Selkirk, in confirmation of the validity of their claims.

Hudson's Bay had been discovered prior to the attempt in which Hudson perished in 1610; but from the voyage of Sir Thomas Button in 1611, till the year 1667, it appears to have been wholly neglected by the English government and nation. In the latter year, the communication between Canada and the Bay was discovered by two Canadian gentlemen, Messrs. Raddisson and De Groselliers, who were conducted thither across the country by Indians. Succeeding in this, they returned to Quebec, and offered the merchants to conduct ships to Hudson's Bay, the proximity of

* Appendix, Nos. IV. V. VI.

† See Harris's Voyages, vol. ii. pp. 245—286.

which to the principal Fur districts, was now ascertained. This proposal was rejected, as well as a subsequent one to the French government at Paris : there they were persuaded by the English Ambassador to go to London, where they were favourably received by some merchants, and persons of quality, who entrusted a Mr. Gillam, long accustomed to the Newfoundland trade, to prosecute the discovery. Mr. Gillam sailed in the Nonsuch ketch, in 1667, into Baffin's Bay, to the height of 75° north latitude, and from thence southward to 51° , where he entered a river, to which he gave the name of Prince Rupert's : and finding the Indians friendly, erected a small Fort. The persons interested in this vessel, upon the return of Gillam, applied to Charles the Second for a Patent, who granted them the Hudson's Bay Charter, dated the 2d May, 1670.

In that year the Company sent out a Mr. Bailey, Governor, who with Mr. Raddisson, settled at Rupert's River, and established Fort Nelson ; and that these Establishments were then considered an encroachment on the French Province, is evident, from the instructions to Mr. Henry Sargeant, who succeeded as Governor at Rupert's River in 1683, which enjoined him to be careful of the French, who were already jealous of the Trade. In 1686 the Hudson's Bay Company had five Forts, which, *though all on the shores of the sea*, so much increased the jealousy of the French, that Chevalier de Troyes was sent overland from

Canada to attack them; and in July of that year, the two Nations being then in a state of profound peace, and the two Governments in more than amicable understanding, Mr. Sargeant was compelled to surrender his Fort to the Chevalier, after a defence of a week. In the period from 1693 to 1696, these Forts were all retaken, and again captured by the French in the succeeding war. At the Peace of Utrecht they were restored to the English Government, and by the 10th Article* of

** Tenth Article of the Treaty of Utrecht, concluded in 1713.*

“ The said Most Christian King shall restore to the Kingdom and Queen of Great Britain, to be possessed in full right for ever, the Bay and Straits of Hudson, together with all lands, seas, and sea-coasts, rivers, and places situate in the said Bay and Straits, and which belong thereunto; no tracts there, of land or of sea, being excepted, which are at present possessed by the Subjects of France. All which, as well as any buildings there made, in the condition they now are, and likewise all Fortresses there erected, either before or since the French seized the same, shall, within six months from the ratification of the present Treaty, or sooner if possible, be well and truly delivered to the British Subjects, having Commission from the Queen of Great Britain to demand and receive the same, entire and undemolished; together with all the cannon, &c. &c. It is, however, provided, that it may be entirely free for the Company of Quebec, and all other the Subjects of the Most Christian King whatsoever, to go by land or by sea, whithersoever they please, out of the lands of the said Bay, together with all their goods, merchandizes, arms, and effects, except such things as are above reserved in this Article. But it is agreed on both sides, to determine within a year, by Commissaries to be forthwith

* This is a conclusive proof, that the *Company of Quebec* had discovered and explored the Interior, even to the immediate confines of Hudson's Bay, above sixty years before the Hudson's Bay Company ventured out of sight of the Bay; for it was after the year 1763, that the Servants of that Company first followed the Canadian Traders into the Interior.—Ed.

that Treaty, it was stipulated that Commissioners should be appointed to settle the boundaries of the British Settlements with Canada, but none ever met for that purpose.

About 1628 or 1630, a Beaver Company was established in Canada, prior to the date of the Hudson's Bay Charter; and it is evident from the accounts of all writers on the subject, that the persons engaged in the latter Company never attempted to extend their Trade beyond the immediate confines of the sea, till subsequent to the cession of Canada in 1763, when the Trade of the Province was opened to all His Majesty's subjects. As the Canadian Traders, by penetrating into the Interior, were more successful, the Hudson's Bay Company followed their example by slow degrees, and established Posts in the countries previously occupied by the Canadians. These approaches of the Hudson's Bay Company experienced no molestation from their competitors: nor would any difficulties have now arisen, except those which naturally occur in the rivalry of trade, if the monstrous pretensions to the exclusive property and Trade of all territories through which any rivers or waters flow in their course to Hudson's Bay, had not been recently asserted by that Company and their Grantee.

named by each party, the limits which are to be fixed between the said Bay of Hudson, and the places appertaining to the French; when limits both the British and French Subjects shall be wholly free to pass over, or thereby to go to each other by sea or by land."

The provisions of the Charter are in themselves, if legal, sufficiently extensive ; but even the Grant contained in it, is only of Countries “ *not occupied or discovered by the Subjects of any other Christian Prince or State ;*” and it is perfectly evident from the facts above stated, that this could not include any part of the property ceded to Lord Selkirk. The Grant commences only at Lake Winnipeg, at least 700 miles distant from either of the original Establishments of the Company in the Bay, and extends some hundred miles into the territory of the United States, *blotting from the map entirely the intermediate dependencies of Canada.*

The Earl of Selkirk's title appeared to the Canadians totally destitute of all authority, either from the legality of the Grant in point of law, or the powers of the Grantors as to the subject matter. He found others, at least in long undisputed occupation of what he claimed by virtue of an obsolete Charter, emanating from a prerogative which was extremely questionable ; and which certainly has never in any instance been exercised by the Crown, nor recognized as legal by any judicial decision since the Revolution.

The North-West Company, therefore, candidly stated their objections, both to the Hudson's Bay Company and to Government, and their determination to maintain their own rights and possessions : at the same time they added, that however much they regretted the adoption of such measures

on the part of the Hudson's Bay Company, they would be on all occasions ready to alleviate the distress of their unfortunate countrymen, who were doomed, as Colonists, to become victims to Lord Selkirk's visionary speculations. They further again expressly declared, that they would neither acknowledge the exclusive rights of trade, or power of jurisdiction, claimed by the Hudson's Bay Company; and that, until they should receive from His Majesty's Ministers, a distinct intimation that these rights were recognized and admitted by Government, they would resist any attempts to seize their property or persons, or to dispossess them of their trade, under these pretences.

Notwithstanding the impediments which thus appeared to the undertaking, either afraid of the result of a legal investigation into the merits of the case, or determined, at all events, to hazard the speculation on his own judgment, Lord Selkirk proceeded in the prosecution of his plans.

In order to form his Establishment, he began by addressing himself to the spirit of emigration which has long prevailed in some parts of Scotland and Ireland. Agents were employed in both countries to circulate Advertisements*, holding out the most fallacious prospects to Settlers in his intended Colony. The climate and soil were represented as superior to any in British North America: the culture of hemp and wool, held out as an inducement to the

* Appendix, No. II.

agriculturist, when his Lordship must have known, it was impossible to transport the former to the sea, and that the plains, where the flocks were to be maintained, are principally characterized by the immense troops of wolves which infest them. *Liberty of conscience*, freedom from taxes and tithes, and all the temptations of a *Land of Promise*, are painted in the most glowing colours, to induce these wretched people to abandon their country; and, in the winter of 1810 and 1811, a number of poor Irishmen were got together at Sligo, and sent to Stornaway, in the Island of Lewes, where they joined other Emigrants who had been enlisted or crimped in Scotland.

Some respectable families of a better class, comfortably situated in their own country, were also tempted by the offers of townships in the Grant, and the misrepresentations held out in the Prospectus, to join the expedition. From some of these, who had been induced to sell their little all to embark in the speculation, Lord Selkirk received the money arising from the sale, to account for it in land at the rate of 5s. per acre; although he must have been well aware, that this was above the price paid for excellent land in the best inhabited parts of Upper Canada*.

These Emigrants embarked in the spring of 1811, on board the Hudson's Bay Company's

* Amongst many other Affidavits of the unfortunate people who were so deceived, one by George Campbell, will be found in the Appendix, No VII.

ships, and consisted of about 25 families, under the command of Mr. Miles Macdonell, appointed Governor of the Colony, whose name will be sufficiently conspicuous in the further account of his employer's proceedings. Their engagements were different: some to pay for their passages by labour for the Hudson's Bay Company; others, who had funds for that purpose, in money; and all were to be provided with food and maintenance till they reached the Colony. On their arrival at York Fort, it was too late to attempt the journey that season; and those only who are acquainted with the severity of the winter in such a climate, can form any idea of the miseries and wretchedness to which these poor people were exposed. There were no houses or huts prepared for their reception, and those which were contrived afterwards for their shelter, left them still exposed to the cold fogs and sea damps peculiar to the climate—the Traders of the Hudson's Bay Company living in the Factory, had no intimation to provide provisions for their maintenance; and the scantiness and badness of their food, soon added sickness and disease to the other miseries of their situation. The following extract of a letter written from the spot, may convey some faint idea of their sufferings:—"Take a view of the state of one
 " family, and it will shew you what the sufferings
 " of these people are: an old Highlander, his wife,
 " and five children, the youngest eight or nine

“ years of age, poor, and consequently badly pro-
 “ vided with clothing to encounter the rigours of
 “ a climate, where the hottest summer never thaws
 “ the ground to any considerable depth—see this
 “ family, sitting on the damp ground, freezing for
 “ want of sufficient covering, pinched and famish-
 “ ing for want of food; and the poor woman had
 “ to take the well-worn rug from her own misera-
 “ ble pallet, to sell for a little oat-meal to give
 “ her dying children, and in vain, for two of them
 “ did not survive this scene of misery.”—If this
 was the state of one family, the miseries of the
 other Emigrants during their winter’s residence at
 York Fort, may be conceived.

The task of proceeding to the Red River, was
 still to be undergone by these unfortunate people in
 the spring; the distance, as has been before stated,
 above 700 miles; the route the most difficult in
 the country, even for athletic and experienced
 batteaux-men, who have to carry and drag their
 boats a considerable part of the distance, over
 rough untrodden roads and rugged precipices, and
 through dangerous rapids and waterfalls. The
 task was doubly hard on the old and inexperienced
 farmer and labourer, who was obliged to per-
 form it, followed by his unfortunate family, worn
 out with toil, and with scarcely sufficient food to
 preserve them from the effects of famine.

Arrived at the place of the proposed Colony on
 the Red River, in the autumn of 1812, Mr. Miles

Macdonell ordered all the people to assemble, and going through some farcical ceremonies, read his Commission as Lord Selkirk's Representative and Governor, when he was saluted by the Hudson's Bay Fort in the neighbourhood. The Indians, attracted by the ceremony, were no sooner informed of its intent, than they expressed themselves hostile to the Establishment, as had been foreseen, and foretold when it was projected. The Settlers had to prepare themselves for the ensuing winter, which already approached, and although the climate was less rigorous than that of York Fort, still, unprovided as they were with houses, clothing, or food, they could not but look forward to their situation with dismay. It was impossible to maintain them in a body, nor could the most active of the men procure subsistence by travelling over the immense lakes of snow in the plains, for want of deer-skin and snow-shoes, like persons who had been accustomed to the Fur Trade of the country. The families were accordingly distributed, as there was a chance of escaping famine, some in the Forts of the Hudson's Bay Company, others in the huts of *Free-men**, and in the families of friendly Indians, who

* Canadians, or others, who having been employed in the service of the Traders, and having become accustomed to the Indian mode of life, or attached to native women, remain in the country, after being discharged from their engagements, and are called *Free-men*, to distinguish them from their countrymen who are *servants*.

permitted them to take shelter in their *tents*, calling them slaves, from the extreme wretchedness of their situation, which had rendered them more the objects of their compassion and contempt, than of their enmity. Those also who lived in the houses with the Governor, suffered much, and many could not have survived the winter, had it not been for the humanity of the North-West Traders, who often relieved them from actual famine, and gave or lent all the provisions they could obtain or spare to the Governor: they even took goods from him to procure provisions by barter from the Natives, which these would not sell, either to the Settlers or to the Hudson's Bay Company. In the spring, the Traders also gave and sold to Mr. Macdonell, articles of various descriptions; potatoes, barley, oats, and garden-seeds, four cows, a bull, pigs, fowls, &c. which had been brought at an enormous expence from Canada; and although still adverse to the motives under which the Settlement was established, did all in their power to relieve the distresses and wants of the Colonists. Mr. Macdonell was not backward in acknowledging his obligation for their assistance, both in his letters and in his verbal communications with the Traders; but these were soon forgotten when his difficulties diminished, and he was aware all his zeal was required in carrying into effect, by active measures, the views of his employer.

The trade of both parties during this winter was carried on as usual; the Hudson's Bay Company did not attempt any extension of their Posts to the westward, and every thing remained quiet in the country.

Early in the spring of 1813, when he had so far, by the assistance of the North-West Traders, overcome the difficulties of his situation the preceding winter, Mr. Macdonell's conduct, which had hitherto been rather temporizing than friendly, became less equivocal. In his capacity of Governor, and Representative of Lord Selkirk, he told the Indians, they must take to him alone, for sale, their provisions or peltries, being the produce of lands of which his Lordship was proprietor, and on which, consequently, they could only hunt with his permission: a doctrine ridiculed by the Natives, but of a nature to rouse all the apprehensions of the Canadians, whose existence, not only on the Red River, but in great part of the country, depended upon the provisions procured at their Posts within Lord Selkirk's Grant. The present force of the Hudson's Bay Company's people and the Colonists, did not, it is true, create much alarm, as to their immediate danger, but it was impossible to judge to what extent both might be reinforced, and they were now alarmed that the doctrine of right, sought to be established, might be enforced by violence, when sufficient means were placed at the disposal of the Governor.

While Mr. Macdonell was thus employed at the Red River, Lord Selkirk was not less active in obtaining fresh recruits of Settlers, following the mode which has before been explained; and he got together, in the spring of 1812, at Stornaway, a considerable number, who were embarked in the Hudson's Bay Company's vessels. The ships were at first seized by the Collector of the Customs, in consequence of an attempt to send more persons on board than was permitted by the provisions of the law, (*commonly called Dundas's Act*), regulating the number of passengers emigrating to America, according to the tonnage of the vessel in which they are embarked. This difficulty was, however, got over, doubtless on some partial representation of the case, and the vessels were permitted to sail with all their proposed cargoes to Hudson's Bay. Mutiny amongst the Emigrants was the first consequence of their cramped and uncomfortable state; the gaol-fever next broke out amongst them, which, it is understood, carried off a considerable number, either on board, or soon after they were landed at Churchill or York Forts, in the Bay.

This reinforcement of Colonists, increased by others who had arrived the preceding year at Churchill Fort, but whom it had not been possible to remove in time to accompany those who passed the last winter on the Red River, proceeded by the route formerly described, to the

Colony, where they arrived early in the winter of 1813, and formed a large accession to the numbers of the Settlement. Their sufferings were still great during the season ; but more pains having been taken to provide for their subsistence, they were, in that respect, in a state of comfort, compared with their situation the preceding winter.

Being now more independent of assistance from the Canadian Traders, and encouraged by this great addition to the numbers of his establishment, Mr. Miles Macdonell lost no time in forming his determination as to his future proceedings. Early in the winter, information had been received on the Red River, by the North-West Expresses, of the successes of the Americans at Detroit, and on Lake Erie, and that there was great probability of all resources from Canada being cut off, which rendered the existence of the North-West Company's Posts precarious, and endangered the whole system of their Trade.

This opportunity of commencing his operations against the Canadian Traders, in pursuance, as will hereafter be shewn, of *the general instructions of Lord Selkirk*, was eagerly taken advantage of by his Governor: his principal establishment was fixed, so as to enable him to intercept the communication by which canoes with provisions might be sent to meet the people, employed in the remote stations, in Lake Winnipic, on their route to and from the principal depôt on Lake Superior ; and if

the intercourse with Canada should be intercepted, not only the canoe-men from the Northern Posts, but those from the nearer districts, would be obliged to fall back on the Red River department for subsistence. At this moment of imminent danger to their concerns, a general system of aggression and violence against their property, and their servants, was begun by Mr. Macdonell.— Under pretence that all the provisions raised in the country were required for the maintenance of the Colonists, parties of Settlers were sent to intercept the convoys of the Traders on their way to the Posts; their boats and canoes navigating the river were fired at from the Fort, and from batteries erected on the banks; brought to, and rigorously searched, and wherever provisions of any description could be found, they were plundered without hesitation. When it became necessary, in consequence of these outrages, to conceal the property, warrants were issued to apprehend the servants of the Company, on frivolous and vexatious pretences; but the object of all their examinations, when brought before the Governor in his magisterial capacity, was to discover the deposits where provisions were removed or concealed.— Great pains were taken to impress upon the minds of these servants, and the Indians, that the ruin of the North-West Company was at hand, and that it would be equally dangerous, and useless, to resist such coercive measures as the Governor

had it in his power to apply, to drive them entirely from the country*.

The Partner of the North-West Company in charge of the Red River department, was placed by the conduct of Mr. Macdonell in the most distressing situation; still aware of the necessity of providing against a danger which threatened the entire ruin of their trade, he made every exertion to protect and secure in his Posts the provisions he had collected, and the other property under his charge; and the means of precaution and defence he resorted to, soon produced the following Proclamation from the *soi-disant* Governor of "Ossiniboia."

" PROCLAMATION.

" Whereas the Governor and Company of Hudson's Bay
 " have ceded to the Right Honourable Thomas Earl of Sel-
 " kirk, his Heirs and Successors, for ever, all that tract of
 " land or territory, bounded by a line running as follows, viz.
 " Beginning on the western shore of the Lake Winnipic, at a
 " point in fifty-two degrees and thirty minutes north latitude,
 " and thence running due west to the Lake Winnipicuarhish,
 " otherwise called Little Winnipic; then in a southerly di-
 " rection through the said Lake, so as to strike its western
 " shore in latitude fifty-two degrees; then due west to the
 " place where the parallel of forty-two degrees north lati-

* The best evidence of these, and the future transactions, is that of the persons engaged in them, under the orders of Macdonell, which will be found in the Affidavits in the Appendix, viz.

James Toomy's, No. VIII;—James Pinkman's, No. IX;—Hugh Swords', No. X;—James Golden's, No. XI;—William Wallace's, No. XII.

" tude intersects the western branch of the Red River,
 " otherwise called Assiniboin River ; then due south from
 " that point of intersection to the height of land which
 " separates the waters running into Hudson's Bay from
 " those of the Missouri and Mississippi Rivers ; then in
 " an easterly direction along the height of land to the source
 " of the River Winnipic, (meaning by such last named river,
 " the principal branch of the waters which unite in the Lake
 " Saginagae) ; thence along the main streams of those wa-
 " ters, and the middle of the several lakes through which
 " they flow, to the mouth of the Winnipic River ; and
 " thence in a northerly direction, through the middle of the
 " Lake Winnipic, to the place of beginning, which territory
 " is called Ossiniboia, and of which I, the undersigned,
 " have been duly appointed Governor.

" And whereas the welfare of the families at present form-
 " ing Settlements on the Red River, within the said territory,
 " with those on their way to it, passing the winter at York
 " or Churchill Forts, in Hudson's Bay, as also those who
 " are expected to arrive next autumn, renders it a necessary
 " and indispensable part of my duty to provide for their sup-
 " port. In the yet uncultivated state of the country, the or-
 " dinary resources derived from the buffalo and other wild
 " animals hunted within the territory, are not deemed more
 " than adequate for the requisite supply, wherefore it is here-
 " by ordered, that no person trading in Furs or Provisions
 " within the territory for the Honourable Hudson's Bay Com-
 " pany, the North-West Company, or any Individual, or
 " unconnected Traders or persons whatever, shall take out any
 " provisions, either of flesh, dried meat, grain, or vegetables,
 " procured or raised within the said territory, by water or land-
 " carriage, for one twelvemonth from the date hereof, save
 " and except what may be judged necessary for the trading
 " parties at this present within the territory, to carry them
 " to their respective destinations, and who may, on due ap-

“ plication to me, obtain a license for the same. The pro-
 “ visions procured and raised as above, shall be taken for the
 “ use of the Colony, and that no loss may accrue to the par-
 “ ties concerned, they will be paid for by British Bills at the
 “ customary rates. And be it hereby further made known,
 “ that whoever shall be detected in attempting to convey
 “ out, or shall aid or assist in conveying out, or attempt-
 “ ing to carry out, any provisions prohibited as above, either
 “ by water or land-carriage, shall be taken into custody,
 “ and prosecuted as the laws in such cases direct, and the
 “ provision so taken, as well as any goods or chattels of
 “ what nature so ever, which may be taken along with them,
 “ and also the craft, carriages, and cattle, instrumental in
 “ conveying away the same, to any part but the Settlement
 “ on Red River, shall be forfeited.

“ Given under my hand at Fort Daer, (Pembina), the
 “ 8th day of January, 1814.

(Signed) “ MILES MACDONELL, Governor.

“ By order of the Governor,

(Signed) “ JOHN SPENCER, Secretary.”

Every thing now wore an alarming aspect to the Traders. With a view evidently of executing the threats contained in the Proclamation, the Governor regularly trained his people to the use of fire-arms, both musketry and artillery; and it will scarcely be credited, that the latter was supplied to Lord Selkirk by Government, on the pretence urged by him, that it was necessary for the defence of his Colony against the Americans*. He had

* The following extract from Mr. Miles Macdonell's Letter to Mr. Cameron, is the best evidence on this subject:

“ Do you know that Government furnished us last year from the

also succeeded in making some impression on the minds of the Natives, that he acted under a direct, and not an assumed authority from His Majesty's Government; and being appointed in Canada, at the desire of Lord Selkirk, a Magistrate for the Indian Territories, he made no scruple of applying, according to his discretion and to existing circumstances, the authority best suited to the vexatious and oppressive system he had been directed to enforce.

A detail of the various acts of outrage committed by Mr. Macdonell this winter, would be equally tedious and unnecessary; but as one in particular led to his apprehension to take his trial in Lower Canada, under the provisions of the Act of the 43rd of the King, which he was appointed a Magistrate to enforce, it is essential to state it, that the proceedings subsequently adopted with respect to this transaction, may be understood.

Under the circumstances before mentioned, the North-West Partner had accumulated a supply of provisions at one of their Posts on the river, called *Riviere la Sourie*, upon which the subsistence of their people now principally depended. The Go-

" Royal Arsenal at Woolwich, with a fine train of light field brass artillery, carriages, laboratory stores, fixed ammunition, &c. complete, and also with 200 muskets, and 500 rounds of ball cartridges for each; all these are now at York Fort, except a small part brought here. We have also clothing sufficient for a corps: that of itself should sufficiently prove to the most sceptical, that we are under the protection of Government."

vernor had long directed his attention to this depôt, and within a few days after the date of his Proclamation, under the pretext that it had been disobeyed, sent a person named John Spencer, whom he called, or had appointed, Sheriff for Lord Selkirk's Territory, to seize the Fort. Spencer finding resistance made by the persons in charge, and that there might be difficulty in executing his orders, and having some scruple about enforcing them without more particular instructions, returned, and reported these circumstances to his employer. Macdonell immediately issued his Warrant in a legal form, for the seizure of the Provisions (under which authority, of Governor or Magistrate, was not mentioned, nor is it material), which he delivered to the Sheriff, and reinforcing his former party with an additional number of armed men, directed him, according to the expression in his Warrant, "to break open posts, locks, and doors," which might impede his proceeding. The party in charge of the Post being intimidated, made no further resistance than retiring within the stockades, and shutting the gate of the Fort. Spencer, in execution of the Warrant, directed his men to cut down the pickets with their axes, and entering the store by force of arms, plundered it of all the provisions it contained, consisting of 600 packages of dried meat and fat, weighing about 85 lbs. each, which were taken to the Hudson's Bay Company's Fort.

Soon after this robbery, the people of the North-West Company assembled, on their route from their different wintering-posts, at the *dépôt*, where they expected their usual supply of provisions to carry them on to Fort William, and, being accompanied by numerous bands of Indians*, over whom they had an entire influence, might easily have recovered possession of their property, and retaliated with security on that of their opponents, had they been inclined to follow what Lord Selkirk, in his pamphlet, asserts to be the custom of the country, to decide their difference with his servants by *the rule of Indian law*. They, however, adopted a very different line of conduct, and to gain time to consult their friends at Fort William, temporized so far as to consent to receive back from Mr. Macdonell, on the condition even of repayment in the course of the autumn, part of the provisions of which they had been robbed. Thus enabled to proceed on their voyage, they arrived with the returns of the season at Lake Superior. At Fort William, the general rendezvous, they were met by their Partners from Montreal, and those from other parts of the Interior; and every account concurred, that a like violent system had been adopted by the servants of the Hudson's Bay Company throughout the country. It appeared also evident, from a letter of instructions from

* The Speech of one of the Indian Chiefs, who was present on this occasion, is given in the Appendix, No. XIII. and will prove the ability then possessed by the North-West Company to retaliate Mr. Macdonell's violences, had it been their intention.

Lord Selkirk to one of their principal Agents, which fell into the possession of the Traders, that these proceedings emanated from his Lordship, with a determination to insist upon his supposed rights, by forcibly ejecting the Canadians from their possessions on what the Hudson's Bay Company assumed as their exclusive territory and property. This letter, addressed to a person sent to discover and occupy a remote post on the confines of Athabasca, where the Hudson's Bay Company had never till then formed an establishment, states the possibility that this attempt may meet with opposition from the Traders, and contains the following directions, which are best given in his Lordship's own words: "You must
 " give them" (the Canadians) "solemn warn-
 " ing, that the land belongs to the Hudson's Bay
 " Company, and that they must remove from it;
 " after this warning they should not be allowed to
 " cut any timber either for building or fuel; what
 " they have cut should be *openly and forcibly seized*,
 " and their *buildings destroyed*. In like manner
 " they should be warned not to fish in your waters,
 " and if they put down nets, *seize them as you*
 " *would in England those of a poacher*. We
 " are so fully advised of the unimpeachable va-
 " lidity of these rights of property, that there can
 " be no scruple in *enforcing them, wherever you*
 " *have the physical means*. If they make a for-
 " cible resistance, they are acting illegally, and

“ are responsible for the consequences of what they
 “ do, while you are safe, so long as you take only
 “ the reasonable and necessary means of enforce-
 “ ing that which is your right.”

His Lordship was perfectly informed, that the poor people inhabiting this wretched climate, are dependent on fish entirely for their subsistence during winter, and that the cold is so intense, as frequently to freeze mercury in the open air. Spirit thermometers are generally used, graduated down to 60° below Zero of Fahrenheit's scale.

With all this information before them, and aware that the gasconading, and successful depredations of Mr. Macdonell had already produced a considerable effect, by diminishing the impression of their consequence and power on the minds of the Indians, and of their own servants; on which the prosperity of their trade and *their personal safety* in a great measure depended, the North-West Company came to the determination of resisting to the utmost of their means, the further violences of their opponents, and, if possible, to make an example of Mr. Macdonell, and his Sheriff, Mr. Spencer, by procuring their arrest and trial at Montreal, for the offences they had committed in the spring of this year. Mr. Cameron, one of their Partners, a man of determined resolution, but unfortunately of an irritable temper, was entrusted with the execution of *these measures of self-defence*, and the conduct of the Red River de-

partment; and, matters having been so arranged, the different wintering Partners proceeded to their stations in the Interior, Mr. Cameron being provided with Warrants against Mr. Macdonell and Mr. Spencer, granted under the authority of the 43rd of the King, upon the information of persons who had been eye-witnesses of their proceedings.

But few Settlers had been sent out to Hudson's Bay in the preceding spring, in consequence, it is understood, of Lord Selkirk's disappointment in not obtaining a license for a ship, under an Act of Parliament passed during the winter, to obviate the difficulties he had before experienced in this respect, called *The Hudson's Bay Ships Passengers' Act*. By the provisions of this Law, it was required that, previous to obtaining the necessary License, the vessel intended to convey an extended number of passengers, should be surveyed, and reported sea-worthy, and fit to receive passengers, by the Commissioners of the Transport Board to the Board of Trade. The vessel provided by his Lordship *answering this description in no respect*, a License was refused; and consequently so many Settlers only were sent, as could be accommodated on board the Hudson's Bay Company's ships, and as *former experience* had shewn to be consistent with safety.

These Emigrants formed a small addition to the Colony in the autumn of 1814, and the Traders

had no sooner returned to their wintering grounds, than disputes arose, as might have been expected, between the parties. The following legal notice was soon served upon Mr. Cameron, which left no hopes of any good understanding between him and Mr. Macdonell.

“ *District of Ossiniboia.*

“ *To Mr. Duncan Cameron, acting for the North-West Company at the Forks of the Red River.*

“ Take Notice, that by the authority and on the behalf
 “ of your Landlord, the Right Honourable Thomas Earl of
 “ Selkirk, I do hereby warn you, and all your Associates of
 “ the North-West Company, to quit the post and pre-
 “ mises you now occupy at the Forks of Red River, within
 “ six calendar months from the date hereof.

“ Given under my hand, at Red River Settlement, this
 “ twenty-first day of October, 1814.

(Signed) “ MILES MACDONELL.”

This was succeeded by a Correspondence relative to the arrangements made by Mr. Cameron's predecessor in the spring, for an exchange of provisions. A great deal has been said and published on this subject against this Gentleman, who possibly assumed more consequence in his situation than was intended, with a view to counteract the effect upon the Indians, of his adversary's misrepresentations; but the Correspondence seems to

have been conducted on both sides, (and the remark applies equally at least to Macdonell), with more irritability and attention to party feelings, than to temper and discretion.

Similar notices to quit the territories of the Hudson's Bay Company and Lord Selkirk, were published and proclaimed throughout the country, and there was no doubt of the intention on their part of enforcing them. The conduct of Macdonell became more outrageous and violent than ever, not only towards his opponents, but also towards the Settlers under his protection. A great many of the latter, completely tired and disgusted with the experiment they had made, and satisfied it would be impossible to remain with any prospect of comfort, applied to Mr. Cameron* and his people, for assistance to proceed to Canada in the spring. This had been long their intention, but the difficulty of leaving the country was insurmountable, without the aid of the North-West Company; and from the time Macdonell heard of their application, they were refused provisions for their maintenance, and often put in irons and imprisoned, for having implored at the North-West Company's Fort, the means of saving themselves from starvation. This tyrannical conduct, added

* Mr. Cameron is accused of having made use of all the influence he possessed with his countrymen, to persuade them to desert the Colony. *If this is the fact*, whatever may have been his motives, every humane person will rejoice that his influence was successful.

to the disgust of those among the Settlers who had sense to reflect on their situation, and who, aware also of the intention of the North-West Company to submit to no further violence without resistance, considered their safety might be implicated in the contest which would possibly ensue. Both the trading servants of the Hudson's Bay Company, and the Settlers, continued, as usual, to be trained to the use of fire-arms. They still laboured under great privations, notwithstanding the precautions which had been taken to provide provisions; and disgusted with the conduct of their Ruler, many of them determined to abandon the Colony altogether. On the approach of spring, they took refuge in the North-West Fort, and alarmed that Macdonell might make use of his artillery to blockade the rivers, and prevent their leaving the country, they took possession of all the cannon and ammunition, which was delivered up to Mr. Cameron at the same time.

Mr. Spencer had been arrested early in the winter, on the Warrant issued against him, and sent down to Lake la Pluie: an attempt to rescue him having failed, from the Settlers refusing to make use of their fire-arms against the Canadians. An opportunity was afterwards taken of serving up to Mr. Macdonell the Warrant against him, to which he refused submission. Outwardly he treated the authority with great contempt, but in the meantime was busily preparing for measures of defence

if they should be necessary, by any subsequent attempt to secure his person. He posted up notices, that his Patron would grant pensions to all persons maimed and wounded in his service, according to their rank, (for he had made several appointments from the step of Captain to Ensign), and threatened the North-West Fort with instant hostilities, taking every opportunity of seizing their people and clerks as prisoners, when they were found in a defenceless situation. About this time he had also been sufficiently ill-advised to quarrel with the Free Canadians, and Half-breeds, on whom he depended for subsistence; and these people, unaccustomed to the commands of any superior, could not brook the treatment they experienced from the Governor, whom they distinguished by the appellation of *Chief of the Gardeners*. The consequence was innumerable scuffles and petty frays between the parties, which the Half-breeds asserted, began by a party of the Settlers firing upon one of theirs, peaceably proceeding along a road with an escort of provisions. The situation of the Colony and its Governor was thus rendered extremely dangerous; and on the arrival of one of the Agents of the North-West Company from Montreal, at the Post on the Red River, on the opening of the navigation, to enquire into the transactions of the winter, Macdonell surrendered himself quietly prisoner, and was taken in the canoes to Fort William, having been

joined on the route by Mr. Spencer at Lake la Pluie.

After their Governor had surrendered himself, the Colonists, in a body, made the most earnest entreaties for assistance to proceed to Canada; and upon a distinct understanding, that nothing should be expected beyond their transport and provisions as far as York, the seat of Government, in Upper Canada, about fifty families, comprising above one hundred and forty persons, were embarked in the canoes of the North-West Company, and safely landed at their destination. Here their sufferings and miserable condition found some relief in the protection and assistance of the Government, and the public commiseration was drawn to their case, by the zealous interference in their behalf, and active benevolence of the Rev. Dr. Strachan, who shortly afterwards published a Statement*, from

* Dr. Strachan's Pamphlet was afterwards republished in England with the following Preface:

"As soon as I heard that the Earl of Selkirk was commencing a Settlement on the Red River, I determined to warn the Public of the deception, and of the great misery which Emigrants must experience in such a distant and inhospitable region. But it was difficult to procure the necessary information; and before it could be obtained, the progress of the American war called my attention to distress nearer home.

"It was not till last June that I was able to get a copy of his Lordship's Prospectus, a paper neatly drawn up, but, alas! destitute of truth. To those who are amazed, after reading my remarks, at the promises and assertions which it contains, I am justified in saying, that promises still more remarkable, and assertions still more

their own evidence, of their case, and the delusions which had been practised upon them, in order to warn the poorer classes of his countrymen against becoming, like these unfortunate people, the dupes of Land-jobbing Speculators ; a class of persons well known in America, and of whom Lord Selkirk, from the magnitude of his operations, may be styled the Chief. The Settlers who were disposed of in this manner, might have been in the proportion of two-thirds of the inhabitants of the Colony, and on their taking their departure for Canada, the other third proceeded for Hudson's Bay, in the Company's boats, in the hopes of finding a passage home to their native country.

"extravagant, were made by the Earl of Selkirk himself at Stromness, in June 1813, to persons whom he was enticing to go out.

"Few of these wretched men have any written agreement ; an omission, I hope, not wilfully made, to prevent legal redress : for surely punishment ought to be inflicted on speculators who persuade families, under false pretences, to leave their native homes.

"Of the Settlers who went to the Red River, many died at Church-hill, in Hudson's Bay, from the severity of the climate and the quality of their food. Others seriously injured their health ; and not one of those who have escaped, saw a joyful day, from the time they left Scotland till they began their journey to Canada. The following Letter may prevent any more from encountering the miseries of the polar regions ; and this is all I am able to effect. But retributive justice is due : and I flatter myself that, among the many great examples of disinterested benevolence so common in Great Britain, one may be found sufficiently powerful to compel Lord Selkirk, and his brother Proprietors, to make ample compensation to the survivors, for the money and effects lost at Church-hill, and the miseries they have endured.

"*York, Upper Canada, Oct. 5, 1815.*"

During this winter (1814-15), besides the occurrences on the Red River, various conflicts had taken place between the rival parties, carrying on their trade in other parts of the country. Similar notices to those issued by Mr. Macdonell, to quit the territory of Lord Selkirk and the Hudson's Bay Company, were served, in the summer, upon the North-West Agents on the Saskatchewan; and one Mr. Kennedy, acting for the Hudson's Bay Company, says, in his notice, to this effect—*By order of William Hillier, Esquire, Justice of the Peace*, “ If after this notice, your buildings are
 “ continued, I shall be under the necessity of raz-
 “ ing them to the foundation.” A Mr. House, in giving the same intimation by letter, instead of the formal notice, stating that the Hudson's Bay Company are determined to uphold their exclusive rights in this country, says, “ that his concilia-
 “ tory endeavours to impress a proper understand-
 “ ing on his rivals, originate entirely with him-
 “ self, and form no part of his instructions; these
 “ are peremptory, and, backed by the authority of
 “ the Governor and of two Magistrates, now
 “ demand his obedience.”

It is not necessary to recapitulate the details of all the petty warfare occasioned by these claims being set up, and the consequent resistance; in one place only, the English River, where Mr. House commanded for the Hudson's Bay Company, two persons fell victims to them in an affray which

took place ; and it is but justice to Mr. House, to add, that, deeply impressed with the fatal consequences which had resulted from these measures, he subsequently adopted a line of conduct which prevented the recurrence of them.

Before proceeding to the further detail of occurrences in the Indian Country, and in the Colony, we must refer to the transactions of Lord Selkirk in Great Britain and Canada. Being convinced a determined spirit of resistance had been excited to the aggressions and outrages of his Agents in the Interior, which the present means at their command would not be sufficient to subdue, his Lordship now resolved to make a combined effort from Montreal and Hudson's Bay ; and by one great exertion, endeavour either to wrest the Trade entirely from the hands of the Canadians, or reduce his opponents to such terms as he might dictate, by the immense expence and loss his preparations would subject them to.

In the winter, an Agent of his Lordship's, formerly a Clerk of the North-West Company, Mr. Colin Robertson, was employed in Canada to raise and fit out an expedition from that Province, to penetrate into the Interior, and oppose the North-West Company's Traders in what are called the Athabasca Posts, far beyond any which the Hudson's Bay Company had yet established. It was necessary to procure Clerks and Guides who had before been employed in the same

country, and these could only be obtained in Canada. Mr. Robertson was therefore directed to engage competent persons of this description, with a proportionate number of canoe-men, and to provide all the means for their equipment. The expedition was to be dispatched from Montreal early in the spring, for Lake Winnipic, where the canoes were to be supplied with the necessary outfit of goods for the Indian Trade, brought in from Hudson's Bay.

The object of this scheme was evidently to obtain a monopoly of the Fur Trade in every other part of the country, as well as in the territory claimed by the Hudson's Bay Company, and to cause irreparable injury to the Trade of the North-West Company. If it succeeded, their rivals would be enabled, under their Charter of exclusive navigation in the Bay, to carry in their outfits, and take out their returns, by a route, as has already been mentioned, between 2 and 3000 miles shorter than that through which the Canadians were obliged to conduct the Trade. The Athabasca Country, for which this expedition was intended, was also wholly beyond the boundaries of what, *in their own construction of their claims*, the Hudson's Bay Company called their territory, as the rivers running through it, chiefly empty themselves by Mackenzie's River into the Frozen Ocean, and the Trading Posts of the North-West Company in this direction, extended across the

Rocky Mountains, to the waters flowing into the Pacific. The obstacles presented by the difficulty of the route, the poverty of the country, and the inclemency of the climate, had hitherto rendered it impenetrable to the less enterprising Traders of the Hudson's Bay Company. The Canadians, who had discovered and formed establishments in it, extending their Posts, in some instances, to such a distance, that communication between them and Montreal could only take place once in two years, had hitherto been perfectly secure in the confidence, that the *capital of their chartered rivals was insufficient to embrace the object of this Trade, in conjunction with the others in which it was employed*; but his Lordship, (determined to surmount all obstacles), had no hesitation in adding *his means to those of his Company*, and this expedition was fitted out at an immense cost, which has been but ill repaid by the result of it.

To aid these projects, and, if possible, ensure his success, it became also necessary, that the supposed judicial powers of the Hudson's Bay Company, an engine which had only yet been resorted to in an equivocal manner by his Lordship and his Governors, should assume a more consistent form; and whilst Mr. Colin Robertson was engaged, as has been described, in Canada, his Lordship was no less active in London, in maturing his designs for the effectual prosecution of his

schemes. A Case was prepared and laid before some of the most eminent Legal Characters in England (suppressing, as must undoubtedly have been the case, from the summary manner in which the Opinions are given, many material points with respect to the Canadian occupancy of the country, and the intended application of the measures these Opinions appear to justify), respecting the powers of jurisdiction vested in the Hudson's Bay Company. The Opinion of these eminent persons upon the Case so stated, was certainly in favour of the powers claimed, and that the Hudson's Bay Company might, at their discretion, establish such Courts as they judged proper, for the administration of justice throughout *their Territories*, recommending only some caution as to extreme cases: all mention of the definition of boundaries within which this jurisdiction could be exercised, was carefully omitted, both in the Case, and Opinions given upon it. Armed, however, with this qualified sanction of their rights, certain Resolutions were entered into by the Governor and Committee, and submitted afterwards, on the 19th of May, 1815, to the face of a General Meeting, as required by the Charter, for the appointment of a Governor and Council, who, to use the expression of the Resolution, were "to have
 "paramount authority over the whole of the
 "Company's Territories, and that the Governor,
 "and any two of his Council, should be competent

“ to form a Court for the administration of justice,
 “ and the exercise of the power vested in them by
 “ the Charter*,” The Resolutions were, as usual,
 opposed by all the Members of the Company present, except the Noble Lord and the Committee, but these being the majority, opposition was ineffectual. After some discussion, the names of the persons appointed to the different offices were also communicated, and the surprize of the persons representing the interests of the Canadian Traders, who were also Members of the Hudson's Bay Company, may be easily conceived, when they learnt that Mr. Macdonell, against whom warrants were issued on information upon oath, of acts of felony committed by him, was appointed the Second Person in Command, and administration of Justice, throughout the Territories of the Company.

Alarmed at the engine of oppression which was thus prepared and directed against their connections, the Canadian Merchants lost no time in representing to His Majesty's Government, the mischiefs that must ensue from an attempt to establish a jurisdiction *which would most certainly be resisted*: they prayed that His Majesty's Ministers† would inform them, whether this newly assumed authority was acknowledged by Government, as that information would form some rule

* Appendix, No. XIV.

† See Letter to Mr. Goulburn, of 18th March, 1815, in the Appendix, No. XXIV.

for their own conduct, whatever doubts they might have of the legality or equity of the proceeding; but the only answer they obtained was, a denial that it was so sanctioned, and that further enquiry should be instituted. The appointments in the mean time took place, and Governor Semple embarked very soon after the communication was made by the Governor and Committee to the Company, in one of their ships for Hudson's Bay.

In this interim, Mr. Macdonell, and the Sheriff, Mr. Spencer, were arraigned before the Courts of Lower Canada, on the charges on which they had been apprehended: and, in justification of their arrest, a True Bill was found against Spencer for grand larceny*. A plea in bar to the proceedings was put in on behalf of the prisoner, alleging that the Charter of the Hudson's Bay Company authorized the seizure, in virtue of his office; and time was given by the Court to procure evidence, and the Opinions of Legal Authorities in England, with respect to the validity of that plea. The Defendants were admitted to bail, and, it appearing clearly from Opinions subsequently taken in London, that as they might have acted under a misapprehension of authority, there would be a failure in proving against them the

* Mr. Macdonell had been detained in the route to Montreal, and did not arrive in time to be placed on his trial at the Session of the Court; but the same evidence, would have produced the same result in his case.

felonious intent, the prosecution was dropped; and there was no jurisdiction vested by the 43rd of the King, under which trials could take place, in the Courts of Lower Canada, in actions for damages in civil cases.* All hope, therefore, of bringing the question to issue in Canada, being at an end, the Canadian Merchants again addressed the most urgent applications on the subject to His Majesty's Government*.

Lord Selkirk having, in this manner, during the winter, matured his plans in England, and in Canada, the different expeditions, headed by Governor Semple from the Bay, and by Colin Robertson† from Montreal, proceeded to their destinations. Mr. Robertson, from some experience he had of the country, not liking a journey to Athabasca, sent on the canoes, with about 100 men, under the command of a Mr. Clark, and remained with the Settlers from the Red River, who had gone towards Hudson's Bay in the spring, and whom he found in the vicinity of Lake Winnipic. Mr. Semple arrived at York Fort rather late in the season, and having taken under his command the Emigrants who had gone out in the ships of the preceding

* See Appendix, No. XXVI.

† This Gentleman, immediately after Peace had taken place between Great Britain and the United States, went to New York, with the view of forming an arrangement with American Citizens to join his patron and employer, in his attempts to ruin the North-West Company. For this purpose he applied to a Gentleman in that country, who, connected with its Government, had made considerable exertions to rival the Canadian Trade previous to the war.

year, and being joined by Robertson and the Colonists on the route, the whole party arrived in September 1815, at the Red River, and re-established the Colony. The new Governor was a stranger to the personal animosities which had existed between the rival parties in the Interior, and hopes were entertained, from the general character he bore for integrity and humanity, that, under his administration, violences would at least have been suspended, till the rights of each had been discussed and settled, either by the Courts of Justice, or the Government in England. Enthusiastic, however, in the cause of his employers, and persuaded that the Legal Authorities under which he had been advised to act, would justify, not only the assumption, but the immediate exercise of the powers confided to him, he did not hesitate, on assuming his Government, to sanction those measures which had before been resorted to, and to authorize others which had been suggested to him, for the complete subjection of the North-West Company and their people.

Mr. Robertson, who had abandoned the Athabasca expedition, was this winter the principal actor in the scenes which passed in the neighbourhood of the Colony, and, in this respect, proved a worthy follower of his predecessor, Mr. Macdonell.

Early in October, Mr. Cameron, while passing quietly along a public road, was seized by an armed party, on an accusation of having seduced

and enticed the Colonists in the spring to abandon the Settlement ; but he was soon afterwards, unconditionally, released. Mr. Robertson appears to have about this time formed a plan, of the same nature as that of Macdonell the preceding winter, to starve the Canadians into submission ; and it was publicly announced, that measures, which were calculated to carry it into effect, would be taken before the opening of the navigation.

On the 17th of March these operations commenced, by a regular attack, in the night, by an armed force, on Fort Gibraltar, the North-West Company's Post at the Forks of the Lower Red River, where Mr. Cameron and his people were made prisoners*. This was followed by another attack, on the 20th of the same month, on the Post of the River Pembina, where the people were also made prisoners†; and at both Posts, arms, ammunition, letters, papers, books, merchandize, and about fifty packs of furs were seized, and confiscated to the uses of Lord Selkirk and the Hudson's Bay Company. Mr. Cameron was sent down prisoner to the Bay, and has not since been heard of. A large force was next dispatched to surprize Mr. Alexander Macdonell at the *Riviere Qu'Appelle*, a Post on the Upper Red River, where a large depôt of provisions was

* See John Siveright and François Taupier's Affidavits; Appendix, Nos. XV. and XVI.

† See Joseph Jourdain's and Jean B. Gervais' Affidavits; Appendix, Nos. XVII and XVIII.

formed for the supply of the North canoes: but this expedition found Mr. Alexander Macdonell, who commanded there, better prepared than the other stations, and the assailants were obliged to retreat quietly without effecting their object. Mr. Robertson retained possession of Fort Gibraltar and the Post at the Pembina River, till the arrival of the winter Express of the North-West Company, which he knew was daily expected, bringing accounts of the situation of the different departments, and the success of their winter-trade. He intercepted this Express, and made no scruple of seizing and opening all the Letters, above 100, whether addressed to the Partners, or other persons attached to the Company. The Forts were then abandoned, and razed to the ground; such of the timber as might be useful to Lord Selkirk's Establishments, being first removed for that purpose. On the 19th of May, some persons in the employment of the North-West Company, without authority from any of the Partners or Agents, hearing of the seizure of the fifty packs of furs at the two Posts, took an opportunity of seizing, by way of retaliation, thirty packs found in a batteaux of the Hudson's Bay Company; and these furs were afterwards carefully and separately packed and marked, and sent out to Fort William.

Some disputes had now taken place between Governor Semple and his coadjutor; and, disappointed in the attempt upon the Post at *Riviere Qu'Appelle*, the former considered it necessary to

cut off the communication between that Post and Lake Winnipic, through which *Lake the North-West* canoes from Athabasca, and other remote parts, pass, and are usually supplied with provisions from the Red River depôts. The lower Posts were already destroyed, and if these canoes could get no provisions from Qu'Appêlé, about 500 men would be at Mr. Semple's mercy. A gun-boat, commanded by a Lieut. Holt, was fitted out on the Lake, and batteries, with cannon mounted, were erected on the banks of the river, to effect this object. The Canadians saw nothing before them but the prospect of confusion, and the doubtful issue of the conflict that must ensue; but being convinced, from the plunder of their property at the other Posts, there would be no hesitation in seizing also these, their most valuable returns, preparations were made to protect them, and expresses were sent to the Interior, to advise the different parties coming out of the country, of their danger, and of the necessity of guarding, by all the means in their power, against it. Being still desirous to prevent an actual contest between their canoe-men and the people under Governor Semple's orders, an experiment was made by the Canadians, at the time the canoes were expected, to open the communication between Qu'Appêlé and Lake Winnipic, by land; and about fifty Indians and Half-breeds were dispatched, with an escort of provisions, for that purpose. They *received express orders*, and were

strictly enjoined, to pass at a distance behind Fort Douglas, Semple's station, and the Colony, to molest no person, and, *if possible, to avoid all observation**. In pursuance of these directions, the escort proceeded by the edge of a swamp, (which prevented their making a wider circuit), about four miles from the Fort, with the intention of turning into the usual land-path on the river, nearly a like distance below: in their progress they met one or two Colonists, whom they detained, to prevent information of their route reaching the Fort; and, at the place of their encampment below, a party of them, who had preceded the rest, found some other Colonists fishing, whom they also detained, but did not in the least molest, otherwise than by the restraint of not allowing them to return to give information at the Settlement. Governor Semple, seeing, by a telescope from a look-out on the top of his Fort, the circuit made by the Indians, and probably concluding, if the communication was established, that his plans would be rendered abortive, determined, in an evil hour for himself, to pursue the party, and marched out of the Fort, with twenty-eight men and officers, with great parade in battle array, for this purpose. The Indians and Half-breeds, supposing themselves undiscovered, and unsuspecting of danger, were much scattered: twenty-four of the number, as has been before stated, having proceeded about two

* See Appendix, No. XIX.

leagues below the others, had begun to encamp : the remaining twenty-six, finding themselves pursued by an armed force, retired to join their companions, sending a Canadian of the name of Bouché, who happened to be with them, and who could speak English, to enquire the reason of their pursuit by Semple's party in a hostile manner. Some words were exchanged, upon which Mr. Semple suddenly seized the bridle of Bouché's horse, disarmed him, and ordered him to be taken prisoner*. Upon his attempt to escape, the Governor ordered him immediately to be fired at, and when his people made some hesitation, seeing the danger they ran in such a conflict, he was more peremptory in his commands, accusing them of cowardice for not immediately obeying. His orders were at last complied with by some of his party, and of the shots fired, one passed close to Bouché's ear, in his flight, and another through the blanket of an Indian, who was advancing after Bouché, in the attitude, and with the language of friendship. Seeing himself thus treacherously assailed, the Indian levelled his gun, and fired in return, which example his party followed, and the melancholy and afflicting result of the conflict was, that the Indians rushing in, Mr. Semple and about twenty of his people lost their lives, and one Half-

* These particulars are taken from the testimony of Bouché, who was carried down to Montreal, and other persons present in the affray. It has not been deemed advisable, pending the legal proceedings which the case must give rise to, to publish the evidence of parties who may be implicated.

breed, and one Indian, on the other side, were killed.

Of course the accounts of this most deplorable event, given by Lord Selkirk, attempt to throw the blame on the opposite party, and his misrepresentations have gone so far as to accuse the North-West Company of having dispatched this force, not for the purpose of escorting the provisions they had in charge, but for an hostile attack upon Fort Douglas. The facts of the Indians having actually passed that establishment, some part having encamped at about ten miles below the Fort, and who, to the number of twenty-four, did not join in the action, and the conflict having taken place at least four miles below, form a sufficient refutation of the latter part of his accusation: add to this, their studied efforts to avoid collision by the detour made, and the facts, not even denied by the opposite party, that they marched out and followed the Indians, and fired first upon them, no doubt can remain as to who were the aggressors in this most unfortunate affray. The Indians and Half-breeds were all on horseback, and dismounting when the fire commenced, sheltered themselves behind their horses, and took deliberate aim at their antagonists over the horses' backs, which accounts for the destructive result of the contest. After their first fire, according to their usual custom, they rushed in upon the survivors, and a Half-breed of the name of Grant, who appears to have acted as leader of

the party, could not even save Mr. Semple from their resentment: while supporting that unfortunate Gentleman wounded, in his arms, a Saulteux Indian, in defiance of his efforts and entreaties to spare Mr. Semple's life, shot him through the head, calling out, "You dog, you have been the cause of all this, and shall not live."

The Indians and Half-breeds fortunately did not carry their resentment beyond the persons actually engaged in the affray, or approaching in arms to join it; and it is an undeniable fact, that not one of the Colonists, or even of those who were previously detained, was personally injured. They were, however, all ordered off the grounds, with a warning not to return, but allowed to retain any private property they possessed: the party plundered, and divided amongst themselves, every thing they could find belonging to Lord Selkirk and the Hudson's Bay Company, and among other articles, they unfortunately met with about 200 fusils, and a large quantity of ammunition.

Thus was this devoted Colony for the last time dispersed; and although its dissolution was sooner or later inevitable, from different causes to that which now determined its fate, it could not have been expected that it would be precipitated by so much rashness. As far as the Canadians were concerned, in having employed these people solely for the transport of their provisions, and without the most distant apprehension of the fatal conflict which ensued, they were entirely blameless,

unless indeed it could have been expected of them, not only to respect the territorial rights set up by Lord Selkirk, but the further extension of power, in attempting to shut up the water communications between countries, over which he does not even claim to extend those rights, and this at the sacrifice of their whole property, and under the knowledge of the absolute ruin in which it would have involved them.

After this melancholy affair, the Colonists, to the number of about 180 souls, complied willingly with the terms prescribed by the Indians, and were met with in the end of June in eight boats, on their way to the Bay. These people had passed the winter as usual in great misery, until they took possession of the Canadian Forts, where they found plenty of dried meat and potatoes.

The Athabasca expedition, which had proceeded under the orders of Mr. Clark, was productive of results equally disastrous to those engaged in it, and, as far as loss of property went, to its projectors. The canoes got into the country too late to find the Indians, and were divided into detachments, at the English River, Peace River, Fort Chipewyan, and at the Slave Lakes, and, having been sent off, with a criminal neglect, on the part of their employer, of the means of subsistence, about twenty people perished by the rigour of the climate and by famine*, and

* Eighteen of these unfortunate men having been dispatched by their leader upon an expedition, on snow shoes, to find the winter

the others, about eighty in number, threw themselves, with their property, on the protection of the North-West Posts, whose Traders saved them from the horrors of famine, and gave them the means of leaving the country in the spring.

While the winter and spring were thus passing in the Indian Country, Lord Selkirk embarked for America, and arrived in Canada, to superintend the extended operations he meditated for the ensuing season, in the full confidence that success would have attended his combinations for the past in the Interior, and that it was only necessary to follow up the blow, to acquire possession of the country to the westward of Lake Superior, and the entire monopoly of its trade.—Mr. Miles Macdonell, against whom, as already mentioned, it was found ineffectual to continue the criminal proceedings which had been instituted, joined his Patron, and was not the less welcome, for the zeal he had before shewn in plundering the Canadians.

Preparations were commenced on an extensive quarters, or hunting grounds of some Indians with whom he wished to open a trade, the party were unsuccessful in their search, and having lost their way, and consumed all their provisions, no means of subsistence, and scarce any hope of escape, remained to them. About three weeks after they had been sent on this ill-fated expedition, one of them alone reached Fort Chipewyan (the North-West Company's principal station in Athabasca); all the others had perished, and the wretched men who survived the longest, had been reduced to the horrid necessity of satisfying their hunger by eating the flesh of their deceased companions, till at length only one was left to tell the dreadful tale.

scale, for new expeditions, by the Grand River and the Lakes, to the North-West; men of all descriptions were engaged, and a large outfit for the Indian trade, got in readiness. Considering the immense waste of property which would ensue, even from a zealous competition for the trade, if it should reach their remote posts, of which they had before sufficient experience in their contests amongst themselves, and still further apprehensive of the violent measures with which they were *threatened*, from the nature of Lord Selkirk's proceedings, the North-West Company now attempted to renew with his Lordship, a treaty they had before, in 1810, offered to the Hudson's Bay Company in London, for dividing the Trade, and putting an end to all contention between their Servants. The average returns of the trade of the parties were, about this time, (exclusive of the fisheries in the Bay, in which the Canadians had no desire to be concerned), in the proportion in value of about five to one in favour of the North-West Company, and their most profitable trade, indeed almost the only part which had been so, since Lord Selkirk's opposition, was from the Athabasca country, where their rivals had never penetrated till the attempt of the preceding season, the result of which was then unknown at Montreal. The capital employed in the whole trade, was in the proportion considerably above three to one, taking the Hudson's Bay Company's Stock

at its extended amount, nearly 100,000*l.*, and the returns from what this Company call their exclusive territories, were probably in the same proportion. These data are sufficiently clear to enable the reader to form his own opinion of the fairness of the proposals made by both parties, from which, unfortunately, no arrangement resulted.

In the month of December, a communication was made to Lord Selkirk, of the earnest desire of the North-West Company to enter into a negotiation, either for a fair division of the Trade, to be conducted under a joint management, or, if that was not deemed eligible by the Hudson's Bay Company, then for a division of Posts and Countries, so that there might be no possibility of further collision. Without entering into the details of the negotiation, the North-West Company offered, if the future conduct of the *whole* trade, under such a joint management as could be agreed upon, was acceptable to the Hudson's Bay Company, that the parties should be interested, the Canadians for two-thirds, and the Hudson's Bay Company for one-third, and that each should furnish, in that proportion, the means and capital, and receive the returns: and if it was found impracticable to negotiate on this basis, that they would divide the Posts, so as to give the Hudson's Bay Company two-thirds of the trade in all the countries over which *they claimed* their chartered rights to

extend, instead of the one-third they actually possessed ; on the stipulation, in return, that the Athabasca trade, and that on the waters flowing towards the Frozen Ocean and the Pacific, should not be encroached upon.

In answer to these proposals, which Lord Selkirk at once declared to be inadmissible, a counter-proposition was submitted by his Lordship, that the Hudson's Bay Company would be kind enough not to interfere with the Athabasca Posts, if the Canadians would give up entirely all trade in the countries through which any waters passed, flowing towards Hudson's Bay, or, in other words, in any part of the territory of that Company, according to *his construction of its limits*, and two-thirds of the trade of which had been, for the last fifty years, carried on by the Canadians ; and that, for the accommodation of the North-West Company, in the event of their acceding to this stipulation, they should be permitted to retain some of their own Posts on the route to Athabasca in those territories, on condition that they would leave the question of right to Arbitration, and, if it was given in favour of the Hudson's Bay Company, that they should be allowed to retain them, with a certain number of acres of land attached to each, for a limited period, on payment of an adequate rent to that Company, as landlords.

The Canadians only observed, in reply to this

modest proposition, that they had commenced the negotiation, not with the view of discussing abstract rights, on which subject they retained opinions diametrically opposite to those of the Noble Lord, but with a view of reconciling present interests, and for the substantial benefit of both parties: that, of course, they could not consent to give up a country to which they claimed even a better title than the Hudson's Bay Company, by virtue of their original discovery and prior possession, and which, according to the best legal opinions they had been able to obtain, was not included in the Charter, even admitting its legality; and that, as to the offer of leaving the settlement of these rights to Arbitration, it contained no reciprocity, inasmuch as, if the award was against them, they were deprived of their possessions, and, if it was in their favour, it conferred no benefit upon them.

There had been evidently no desire on the part of Lord Selkirk, in these negotiations, to bring them to a satisfactory conclusion; and his whole conduct, immediately after their termination, left no doubt of his determination to carry into effect, by physical force, that part of his proposition which related to dispossessing the Canadians of their property and trade, throughout the assumed territories of the Hudson's Bay Company.

His Lordship was appointed Justice of the Peace for the Indian Territory and in Upper Ca-

nada, and a military escort, under the name of a body-guard, consisting of a serjeant's detachment of the 37th regiment, was also granted, on his application to the Governor of Canada, for the protection of his person, in the expedition he meditated in the spring, to the seat of government in his new kingdom. That he might have means sufficient for his purpose, in addition to about 180 canoe-men, he engaged about 150 foreign soldiers, with two Captains and two Subalterns, of the regiment of De Meuron; a set of men, whose conduct afterwards sufficiently justified the apprehensions entertained of them. They had been engaged in different services in Europe and Asia, and were partly formed by deserters from Buonaparte's armies in Spain. From that country they were sent to America, where the regiment was just disbanded, and were fit instruments for the scenes of pillage and plunder in which they were subsequently engaged*.

An account of these preparations, and of the consequences to be apprehended from them, was laid, both before the Government at home, and in Canada, with earnest entreaties, on the part of

* It is necessary to remark here, that these men were hired before even the transactions just related on the Red River had taken place, that the attempt made to justify this proceeding, by connecting it with providing means of defence for the Colony, should be understood. If these soldiers were intended as an addition to the Colony, their dissipated and idle habits would have ensured its destruction, even had it not previously taken place.

the Canadians, and their Representatives here, that at least their persons and properties might be protected.

Relying upon such protection, the North-West Company dispatched their canoes, as usual, in the spring, by the Grand River, without any additional precautions, for Fort William; and about the same time, Mr. Miles Macdonell was dispatched by Lord Selkirk, with the Canadians engaged in the service of the Hudson's Bay Company, in canoes, to make the best of his way, by Lake Superior, to the Red River, in order that his Lordship might have early intelligence from his Colony, of the proceedings during the winter, to meet him on Lake Superior. His Lordship, accompanied by Captains Matthey and D'Orsonnens, and Lieutenants Graffenreith and Fauche, with about 140 De Meuron soldiers, dressed in new uniforms for the service, and equipped with all the "pomp and circumstance" of war," even to a furnace for heating cannon balls, took the route by the Lakes, with the intention, it would seem, of engaging some discharged Highlanders of the Glengary Corps, also to follow his fortunes.

Mr. Miles Macdonell had proceeded with the utmost expedition to Lake Superior, and had passed on by the usual communication to Lake Winnipic, while the Agents of the North-West Company had arrived at Fort William, and were

engaged in preparing the outfits for the ensuing, and receiving the returns of the past, season from the Interior. They had only as yet intelligence from the near Posts, and were alarmed by reports, for they had no clear accounts, of the capture and destruction of the two Provision-Posts on the Red River. They instantly dispatched about 60 men in light canoes, to the assistance of their people coming out, thinking, as an attack had begun, their Athabasca returns might be in danger: they, however, were soon surprized by the return of Mr. Miles Macdonell, who, upon reaching Lake Winnipic, heard of the conflict in which Mr. Semple had fallen, and of the entire dispersion of the Colony. They now received accurate intelligence of all the events which have been before detailed, and lost no time in sending down an express, that it might be forthwith communicated to the Government at Quebec. The express got to Montreal about the middle of August; and the instant it arrived, Mr. Richardson went with the accounts to Quebec, and again entreated an officer of rank might be sent up to investigate these outrageous proceedings, and with full powers to arrest and send down the guilty persons of either party to Canada for trial. Sir John Sherbrooke had not then reached Quebec to assume the Government, and General Wilson, in momentary expectation of his arrival, was unwilling to interfere. After Sir John Sher-

brooke had assumed the command, no Officer was to be found at the disposal of Government, sufficiently qualified by experience and information, for the service; but a Proclamation was instantly issued, ordering all persons to keep the peace within the Indian Territories, and this was sent up immediately by a light canoe to Fort William; the canoe, however, arrived after the capture of the Fort, which will presently be related, and the Proclamation was suppressed by Lord Selkirk, as inconsistent with the course he was then pursuing.

Mr. Miles Macdonell proceeded without delay, to carry the disastrous accounts from Red River to Lord Selkirk, whom he met, with his troops, at St. Mary's, at the entrance into Lake Superior, where he was waiting for an expected addition to his force, and for provisions and artillery, which were coming in vessels across Lake Huron, to join him at that place. Here, it would appear, his Lordship resolved upon the line of conduct he afterwards pursued, and he lost no time in setting forward with his whole expedition for Fort William, in the neighbourhood of which he arrived on the 11th of August.

Fort William has-already been mentioned as the general dépôt of the North-West Company, where their stores and merchandize for the supply of their followers, and of the Indians, and their returns of Furs, &c. from the Interior are deposited.

At this time, the beginning of August, the usual business of the season was in actual progress, and far from being completed. The wintering Partners, who had been appointed by the General Meeting to the more remote Trading Stations in the Interior, had taken their departure, but the Partners appointed to take charge of the stations on the Red River, River Winnipic, the communication from thence to Fort William, and all the stations in the vicinity of Lake Superior, still remained at the Fort, together with the outfits of merchandize, arms, and ammunition destined for the trade of their respective stations, and for the use of the Natives depending upon them for supplies. A considerable, and by far the most valuable part of the returns from the Interior, was also deposited at the Fort, in order to be sent down to Montreal for shipment to England. This consisted of 600 packs of the finest Furs, the value of which, if now in England, would be moderately estimated at 60,000*l.* sterling.

The Fort was under the direction of Mr. William McGillivray and Mr. Kenneth M'Kenzie, the *Agents*, as they are called, though they may be more properly described as *Directors* of the North-West Company. The wintering Partners, already mentioned, were also in the Fort, together with the voyageurs, or wintering servants of the Company, who were to navigate the canoes carrying the supplies to the different Trading Sta-

tions, and also the *Montreal canoe-men, who were* to carry down the Furs.

Their numbers together must have exceeded 500 men, and the place, though not properly a Fort, but merely a square of houses and stores, surrounded by a strong and lofty picket fence, contained an ample supply of arms and ammunition, and was capable of considerable resistance.

The whole proceedings of Lord Selkirk at Fort William are so extraordinary in themselves, as well as so momentous in their consequences to the North-West Company, that they require to be particularly detailed.

On the 12th of August, his Lordship came into the River Kaministiguiâ with four canoes, attended by a number of soldiers, and by his guard, with whom he encamped about 800 or 900 yards above the Fort, on the opposite shore.

Within two or three hours, eleven boats full of men, in the uniform of De Meuron's Regiment, came into the River, and were followed by one boat and two canoes loaded with arms and stores, &c. The troops immediately joined Lord Selkirk at his encampment. Cannon were landed, and drawn up, pointed to the Fort, and balls were ready piled beside them, as prepared for a siege and bombardment.

On the following day, two persons belonging to his Lordship's suite, named M'Nabb and M'Pherson, came to the Fort about three o'clock

in the afternoon, and having without difficulty obtained admission, they arrested Mr. William M'Gillivray, who immediately offered to attend his Lordship, and, utterly unconscious of any ground for charge, took with him Mr. Kenneth M'Kenzie, and Dr. M'Laughlin, to give bail for him if required. On embarking to cross over to his Lordship's encampment, they were guarded by above twenty soldiers, who had accompanied M'Nabb and M'Pherson, and on their reaching the opposite shore, they were received by a party of the 37th regiment under arms, who conducted them to Lord Selkirk.

Instead of being accepted as bail, Mr. M'Kenzie and Dr. M'Laughlin were told that they were involved in the same charge with Mr. M'Gillivray, which appeared to be some concern or participation imputed to them in the transactions at the Red River; and his Lordship stated, that all the Partners of the North-West Company, who had been at Fort William in the year 1814, when the appointment of Mr. Duncan Cameron to their station in the Red River took place, were implicated in the alledged crimes.

Any attempt at justification was of course useless; nor was any necessary, for Lord Selkirk must at the moment have been equally convinced as they were themselves, not only of their *innocence*, but even their complete *ignorance*, of the transactions imputed to them as crimes.

Military possession was then taken of the Fort, as is particularly described in the Deposition of Lieutenants Brumby and Misani*, given in the Appendix, No. XX., and in the following Journal of Mr. Jasper Vandersluys, a very respectable person, who was employed as Book-keeper to the Agents of the North-West Company, and who, upon the arrest and removal of all the Partners, as detailed in the Journal, was left at Fort William in charge of their affairs.

* Lieutenants Brumby and Misani, whose Deposition is above referred to, are Officers of the late Regiment De Meuron, who obtained leave of absence from General Sir Gordon Drummond, at the request of the North-West Company, in order to enable them to visit the Indian Country. This was partly intended to counteract the impression which might be made on the Indians by seeing Lord Selkirk's body-guard and military force; but chiefly in order to enable these Gentlemen to see the real state of the country, and to give an impartial report of such occurrences as they might witness. Their testimony, therefore, relative to the military outrages committed at Fort William, is entitled to particular attention, as coming from Military Men, totally unconnected with either of the Parties.

Journal of Occurrences at Fort William, in the District of Kaministiquia, commencing the Twelfth Day of August. One Thousand Eight Hundred and Sixteen.

Fort William, 12th August, 1816.

BETWEEN ten and eleven this morning the Earl of Selkirk, accompanied by his body-guard, and others, came up the River Kaministiquia in four canoes. He encamped about 800 or 900 yards above the Fort, on the opposite shore. Between one and two P. M. he was followed by eleven or twelve boats, each having from twelve to fifteen soldiers on board, all armed, who encamped about two hundred yards below the Earl. The rest of the day past quietly off, though I observed very great activity prevailing in their Camp.

13th August.

The morning past very quietly, but I observed his Lordship's soldiery cleaning and loading their musket and planting their cannon in the direction towards the Fort. In the afternoon, at about two or three o'clock, one McNabb came into the Fort, with a Warrant issued by the Earl, and took prisoner Mr. William M'Gillivray, ordering him to accompany him to Lord Selkirk's Encampment. Mr. M'Gillivray immediately obeyed, and Mr. Kenneth Mackenzie and Dr. John M'Laughlin accompanied him, to give bail. No one else in the Fort was informed of the circumstance, so that, seeing these Gentlemen go over to Lord Selkirk, we all took it as a favourable sign of an arrangement between the Hudson's Bay and North-West Companies being about to take place; and we were proportionably the more surprized upon perceiving the result. Half an hour after these Gentlemen were gone, I heard a bugle horn. Two boats, each with from twenty-five to thirty armed soldiers, were dispatched by the Earl of Selkirk, and landed in front of the Fort. They were preceded by the said McNabb, and one M'Pherson (who had been appointed Constables by Lord Selkirk),

and who made prisoners of Messrs. John Macdonald, Alexander Mackenzie, Hugh McGillis, Simon Fraser, Alan Macdonell, and Daniel Mackenzie. Mr. John Macdonald requested the Constables to produce their Authority, and to exhibit their Warrant. It will hardly be believed, that this legal demand, which the Earl of Selkirk now endeavours to hold out as a resistance to the execution of the Warrant, served as a signal for attack. Captain D'Orsonnens, the leader of these disbanded, intoxicated, and almost uncontrolled soldiers, cried out "*aux armes, aux armes!*" and immediately the bugle was sounded, and an armed force of about sixty in number, with loaded muskets and fixed bayonets, rushed forcibly into the Fort, shouting, cursing and swearing, and threatening death and destruction to all persons and all property. The soldiery were strongly countenanced in this by their officers, amongst whom the most conspicuous was the aforesaid Captain D'Orsonnens, next Captain Matthey, Lieutenant Fauche, Lieutenant Graffenreith, and several more. They spread out their troops in every direction, driving the peaceable inhabitants of the Fort before them, and spreading terror and alarm amongst the women and children by their hideous shouts and exclamations. They placed two pieces of cannon in the centre of the Fort, and sentinels in all quarters. All this while the abovementioned Gentlemen did not offer the least resistance, but on the contrary, patiently submitted to the outrageous and lawless conduct of their assailants; and they were then carried off to the Earl's Camp, guarded by an armed force. Had the least thought been entertained of making resistance, nothing would have been easier than to have done so, and to have exterminated the whole of Lord Selkirk's band; for at the time the Earl made his appearance, we mustered nearly three times the number of his people, and were provided with more than sufficient means of defence; but no such thing was ever contemplated or even suggested, in proof whereof, the sale, and even the usual distribution of liquor to the men, was positively forbidden.

The Fort was now left in disorder, and at the discretion of the intoxicated soldiery; and if no blood has been spilt on the occasion, neither Lord Selkirk nor his people have any claim to the credit of it. At about eight P. M. our Gentlemen returned,

having, as I understood, engaged to Lord Selkirk to go back the next day to his Camp, in order to undergo an examination. I omitted to mention that, after our Gentlemen had been carried off, Mr. M'Nabb, one Mr. Allan, (the Earl's medical attendant) accompanied by Captain D'Orsonnens and another, proceeded to the Office of the North-West Company, and there presented a Warrant addressed to the Chief Clerk, with orders to seal up all the papers, which was complied with; after which they went into Mr. M'Gillivray's private room, where they did the same, and subsequently in the rooms of all the before-named Gentlemen.

When the Gentlemen returned, they expostulated upon the troops being left in the Fort, and insisted upon their being withdrawn; which was only partly complied with, and a guard of twenty soldiers was left under the command of Lieutenant Graffenreith.

The general terror, the uncertainty as to what were the Earl's designs, and the acts of violence, and infringements of all right and law, which had already been committed, made us all pass a night of fear and anxiety.

14th August.

This morning Mr. M'Gillivray desired me to draw up a Protest against the acts of violence committed yesterday; I had only a quarter of an hour to do it in, and worded it briefly in the following terms:

" We the undersigned, Agents and Partners of the North-West
 " Company, being this day, the thirteenth of August, 1816, in a
 " body assembled at Fort William, in the district of Kamini-
 " tigiâ, do hereby formally Protest against the violent proceed-
 " ings done and committed upon our persons and property, at
 " the above mentioned place in the afternoon of the above-
 " mentioned day, by a troop to the number of between fifty
 " and sixty disbanded and intoxicated soldiers, formerly belong-
 " ing to the Regiment of De Meuron, and at present in the ser-
 " vice and pay of the Earl of Selkirk, headed by Captain D'Or-
 " sonnens and Lieutenant Fauche, and afterwards joined by Cap-
 " tain Matthey and Lieutenant Graffenreith, who forcibly enter-
 " ing the Fort Gate, spread out their troops in every direction
 " having their bayonets fixed, and shouting a most horrid huzza!

“ which spread a general terror amongst the inhabitants of the
 “ Fort; after which they placed two pieces of cannon in the cen-
 “ tre of the Fort, and centinels in all quarters, and proceeded
 “ by order of the Earl of Selkirk, with armed force, having then
 “ one Mr. Allan, Doctor to his Lordship, at their head, to seal
 “ up the papers and desks in the North-West Company's Office,
 “ and then those of the private rooms of the Agents.

“ We therefore do most solemnly Protest against these acts
 “ of violence, and against all those whom it may concern.

(Signed) “ WM. M'GILLIVRAY.
 “ KENNETH MACKENZIE.
 “ JOHN MACDONALD.
 “ SIMON FRASER.
 “ ALLAN MACDONELL.
 “ JOHN M'LAUGHLIN.
 “ HUGH M'GILLIS.
 “ DANIEL MACKENZIE.”

In conformity with their engagement to Lord Selkirk last night, our Gentlemen were preparing to embark in order to proceed to his Lordship's Camp, when a strong reinforcement of troops arrived from the other side, headed by Captain Matthey, with the intelligence that the Earl would soon be at the Fort; and in about half an hour afterwards he made his appearance with his body-guard*, and immediately entered the Hall in the Mess-house. Mr. M'Gillivray handed to the Earl the above-mentioned Protest, which he read. An armed force (of the 37th regiment) was stationed both within and without doors. The Earl enquired who were the Clerks in charge of the concern in the absence of the Proprietors. James M'Tavish and myself were named, which the Earl approved of. His Lordship went with M'Tavish into the Office, was in close conversation there with his Surgeon and Captain D'Orsonnens, whence he went into Mr. M'Gillivray's room, and thence to the different rooms of all the Proprietors, in order to examine the seals put on yesterday; after which he was in a long and close conversation in the Court-yard of the

* Consisting of the Non-commissioned Officer and men of the 37th regiment, granted by General Wilson for his Lordship's protection.

Fort. He returned, and ordered all the Partners to be closely confined in their rooms. He took up a room himself in the Mess-house. Mr. McGilivray represented to him, that it was necessary the Clerks should proceed in their regular business, and that therefore the seals should be taken from off their desks, and the contents examined. His Lordship answered, that there were things of the utmost importance to be settled first, and then placed centinels with fixed bayonets before the doors of all the Partners. The Earl applied to me to give him an explanation of the various buildings in the Fort; but I told him it was out of my power, as I was a stranger myself. He went round to take a full view of the Fort. I followed him. One Chatelain met him, and took him aside. He returned into the Fort, and a heavy shower of rain falling, I took him into Dr. McLaughlin's house for shelter. His Lordship was very inquisitive, enquiring the number of cattle, the produce of the harvest, &c. After the rain he went to his room in the Mess-house, with Captain D'Orsonnens, Captain Matthey, and his Surgeon, who in all respects seem to be his chief agents, and principal confidants. He came out and asked me to go for Mr. McTavish, who came, and complied with his Lordship's request in explaining the use and contents of all the buildings in the Fort. The bell rung for dinner. The prisoners received their dinners in their rooms. During dinner, Lord Selkirk and his party were very busy about the Fort, and carried off about eighty guns belonging to the North-West Company. An order was then issued to all our men to carry all their canoes into the Fort, and break up their Camp, no one being allowed to encamp or remain any longer on this side the river. His Lordship asked me if I knew the Proprietors who were under confinement. I answered in the affirmative. He told me it was necessary they should all be placed in one house, and pointed out the Wintering-house, to the right of the Mess-house, as one that would answer this purpose. He wanted me to accompany his constable, McNabb, to get the Gentlemen together, and convey them to their new prison. I took the liberty to observe to his Lordship, that I should find it rather a difficult task to act in concert with his constable against my Employers, and begged to be excused accepting such a degrading office. His

Lordship said he had plenty of people of his own *to perform* this duty, but that perhaps they would do it in a less delicate manner. I answered his Lordship, that as for that, I had not the least doubt, but could not possibly comply with his request. Soon after I saw John Macdonald conducted by an armed force from his own room into the Wintering-house; Allan Macdonell was conducted thither in the same manner, and a few moments after, I had the mortification to see Mr. M'Gillivray turned out of his private room with his luggage, and carried away also, guarded by an armed force with fixed bayonets, to the Wintering-house. The Mess-house being now cleared of all our Gentlemen, I went in, and found a person of the name of Lorimier, one Chatelain, and the well-known Williamson, all three Agents to his Lordship, regaling themselves in the larder. After this a new Warrant was issued for searching the private rooms of the Gentlemen who were in prison, and to seize all arms, under the frivolous pretext, that information had been given that a quantity of papers had been burnt the night before, and a number of arms concealed. I accompanied the searchers to every room. John Macdonald's room being locked, was forcibly broke open with an axe by Mr. Allan, Mr. M'Nabb, and Captain D'Orsonnens. The search, sealing of papers and trunks, seizure of arms, &c. lasted till past twelve o'clock at night.

These articles were all sealed in my presence, and next to the Earl's seal I put mine. They were carried to his Lordship's apartment in the Mess-house.

An order was this evening issued in the Earl's name, that after nine, no one should appear out of doors under any pretext whatever.

A printed paper has been posted up at the gate of the Fort, signed by some Montreal Advocates, and purporting to contain the Opinion of those Gentlemen, relative to the Hudson's Bay Charter, but which in fact consists of nothing but the denunciation of punishment against all who shall oppose the measures the Earl of Selkirk may think proper to adopt, as Justice of the Peace.

15th August.

One of our men having been out fishing, returned this morning with a load of fish, which was immediately seized, and distributed among his Lordship's people. Orders have been issued to stop the regular course of business in the Fort, and neither Clerks, Mechanics, nor any others are permitted to do their daily business. The greatest consternation prevails amongst all our people. The Gentlemen prisoners mentioned yesterday, are all still more closely confined, and all access to them is most strictly prohibited. The whole of his Lordship's people are now encamped in front of the Fort, and our people were driven last night from their grounds to the opposite shore, which being but ill cleared of wood, and swampy, affords them a very wretched place of encampment amongst the stumps and bushes. Whenever they have occasion to come to receive their victuals, an order must first be given by one of the officers of these disbanded soldiers to the sentinel, who then allows them to pass, and go into the Fort to receive their victuals. The most abusive language towards us is made use of by the soldiers, who all appear to be thirsting for an opportunity to gratify their wishes for tumult and blood-shed. I do not know whether this disposition is sanctioned by the Earl, and should rather doubt it, but it is evident they are entirely under his command and controul. Two loaded pieces of artillery are placed at the entrance of the Fort, and command the opposite shore, to keep the people there in awe. Blondin, the guide, was with his men working in the canoe-yard: no sooner had one of his Lordship's officers got information of it, than they were turned out of the Fort.

About ten o'clock A. M. the Earl proceeded to examine the prisoners, on whose behalf Lieutenant Hissani, Lieutenant Brumby, and Captain Matthey, were nominated as Members of the Court; and on the Earl's behalf M'Nabb, Lorimier and another, name unknown; Dr. Allan and Mr. Spencer acted as Secretaries, and it is worthy of observation, that Mr. Spencer is a prisoner, and to be tried before the Court in Montreal next month. The examination lasted till about seven in the evening without interruption. Daniel Mackenzie's examination was postponed till to-morrow. The evening passed quietly.

16th August.

This morning the Captain of the guard told old Mr. Landriau, that he had heard in the night a noise like the breaking open of a padlock. Many such falsehoods are maliciously spread abroad, in order to veil the illegality of Lord Selkirk's proceedings. A few moments before breakfast time a party of six armed men was ordered out, under the command of Captain D'Orsonnens, (well worthy of such expeditions): they marched off at a quick pace, and I followed them, anxious to know what their object was. They appeared to be in search of one of our men, and in fact I saw Pierre Bonza dragged out of his hut; the soldiers all the while cursing and swearing, and uttering the most abusive language, to a man who made no resistance, and gave himself up as prisoner. On this occasion, even the leader of the party, Captain D'Orsonnens, did not scruple to make use of expressions unbecoming a gentleman. They afterwards proceeded to arrest one Brisebois, guide to the North-West Company, who was treated in the same manner.

At a meeting of the Clerks after breakfast this morning, the following representations were agreed upon to be laid before Lord Selkirk; in conformity with which, Mr. M'Tavish and myself waited upon his Lordship, whose answers are annexed:

"Whether the necessary
"hands will be allowed to as-
"sist in taking inventories of the
"goods and property on hand
"in the Fort?"

"That the lately arrived Furs
"in the pack-store, being wet
"and damaged, require a suffi-
"cient number of men to pro-
"vide against any further da-
"mages."

"That the fences around the
"fields have been carried off,
"and the gate of one of the
"fields in which part of the
"cattle was inclosed, broke
"open."

"He will allow three or four
"hands, provided their names
"are given in, and that it does
"not take too many days."

"Allowed six hands for this
"purpose, provided their names
"are given in."

This was entered into, but
the investigation eluded.

“ That the hay in the fields “ Granted some hands, pro-
 “ is rotting, in consequence of “ vided a list be given of their
 “ the people being stopped from “ names.”
 “ their work.”

Several other representations were made, arising from the general confusion, but on the whole his Lordship evaded the greatest part of our questions and complaints, and referred us to his officers *in command*, who, as he plainly said, were better accustomed to matters of vigilance and precaution than he was himself; but that he would sanction every thing they decided upon. After we had left his Lordship we applied to the officers *in command*, and those gentlemen in their turn, evaded our application, with the answer, that they were not vested with sufficient authority, but would put into execution any commands of the Earl.

Having therefore maturely considered the present state of matters, we this afternoon addressed the following Letter to the Earl:

“ *To the Right Hon. the Earl of Selkirk.*

“ MY LORD,

“ Whereas the circumstances occurred at this place have occasioned a general stand in the regular course of the North-West Company's trade, and we having been appointed as chief Managers of the Concern, during the absence of the Agents and Proprietors, we think it an imperative duty on our part to address your Lordship on the subject.

“ Our outfits for the Interior have only partly been provided for. We therefore, on the present occasion, request that your Lordship will be pleased to give the necessary orders, that the dispatches of such merchandize as is required for the Indian trade, may not be interrupted.

“ The season being already far advanced, it is of the most urgent necessity that our Montreal canoes should be sent off with the Furs and Peltries at present in store, in consequence of which we also request your Lordship's authority for the purpose.

“ And as it appears that the whole of the transactions of this
 “ place have been brought to a stand, which in a very short
 “ time may cause an unaccountable confusion, we also apply
 “ to your Lordship for redress in this.

“ And as your Lordship’s severe precautions induce us to think
 “ that some illicit measures are suspected from us, or those
 “ under us, we beg leave to assure your Lordship, that what-
 “ ever may be reported on this subject, is utterly false and un-
 “ founded: That on the contrary, we have used, and shall con-
 “ tinue to do so, all our exertions against any infringement of
 “ the public tranquillity, which on the present occasion is of
 “ such high importance.

“ We are,

“ My Lord,

“ Your Lordship’s humble and obedient Servants,

(Signed)

“ J. C. M^CTAVISH.

“ J. VANDERSLUYS.”

Nothing further remarkable occurred this day. The Earl has been occupied for the greatest part of the day by himself. Daniel Mackenzie’s examination, which was expected to have taken place to-day, has again been postponed. I cannot account for the reasons of this delay. Besides the two prisoners arrested this morning, seven more have been taken, viz. Antoine Gonneville, Louis Pereau, Joseph Demarrais, Philibert La Deroute, Augustin Le Vigne, Joseph Landry, and Supplice La Pointe dit Desautel.—The two last-mentioned men went into Athabasca last year for the Hudson’s Bay Company, and owe their lives to the North-West Company, eighteen of their people having perished with hunger. A deposition by them to this effect is on record.

17th August.

At about ten o’clock last night, his Lordship let us know that he wanted a list of all the men on the ground before he went to bed, and that without this document it was impossible for him to answer our letter. We immediately consulted on this, and made out and handed his Lordship the list just as he was going

to bed. This morning at half past four, we were waked by M^cNabb, who brought a message from the Earl, that he wanted to see M^cTavish. He informed him that he intended to send off twelve gentlemen to Montreal, and ordered M^cTavish to get three canoes ready for that purpose. His Lordship would not mention their names. The men intended to conduct the canoes are also kept secret.

Walking out of the Fort before breakfast this morning, the Earl addressed me, and said I must not be surprized that no answer had as yet been given to our Letter of yesterday, as the inconvenience which the North-West Company's trade had been put to, must not impede the execution of the law. I observed to his Lordship, that our present situation involved us in great responsibility, and that therefore, I had no doubt his Lordship would favour us with a few lines in answer to our Letter, which he promised to do. After breakfast I addressed the Earl for the purpose of having a seal removed from one of my drawers in the Office, which he complied with, and deputed M^cNabb and Dr. Allan to attend. They seized some papers of no value, and sealed them; but I must not omit to mention, that this bundle contains a *Deposition of one Nolin, Clerk to the Hudson's Bay Company, written and signed by himself, in which, amongst other things, he declares, that at the late action at Red River, the Colonists, headed by Mr. Semple, were the aggressors and first assailants*; and that the Half-breeds declared they would not permit any Settlers on their grounds, but would admit as many Traders as chose to come. This bundle was marked, sealed, and signed by me on the outside, as containing such a document. It was put by along with the other papers seized before.

Finding that, notwithstanding Lord Selkirk's promise to answer our letter, no reply had yet been made, we addressed his Lordship again in the afternoon, as follows:

"To the Right Hon. the Earl of Selkirk.

"MY LORD,

*Referring to the Letter which we had the honour to address
we are extremely sorry to find, that until this*

“ moment we have not been favoured with a reply. We therefore
 “ take the liberty to represent again to your Lordship, the urgency
 “ of sending off both our Montreal and North Brigades, and with-
 “ out appealing to the promise your Lordship has verbally made
 “ to us, not to interfere with the regular course of the North-West
 “ Company's trade, we cannot pass unnoticed, that *we* cannot
 “ be answerable for any prejudicial consequences which may arise
 “ from such a stoppage.

“ Being this morning informed by your Lordship's verbal com-
 “ munications, that it was intended that twelve passengers should
 “ go to Montreal to-morrow, we request your Lordship will let
 “ us know, whether the canoes are to be manned by your Lord-
 “ ship's or the North-West people? In the latter case, we shall give
 “ orders that the number required may be ready at such an hour
 “ as your Lordship may appoint.

“ We are,

“ My Lord,

“ Your Lordship's humble and obedient Servants,

(Signed)

“ J. C. M'TAVISH.

“ J. VANDERSLUYS.”

Every thing here is industriously kept secret, and although the soldiery behave now somewhat better than at first, yet it is very irksome, and repugnant to us to be under military and arbitrary orders. It would seem as if our assailants were corrupting our men in order to bring false accusations against some individuals. This was tried with a view to inculcate Mr. M'Gillis and Mr. Harrison, who were both accused, without any foundation, by a wretch of an Iroquois, who probably had been bribed for the purpose, of having distributed arms amongst the Canadians the day the Fort was attacked. These and the like schemes are put in practice, and if we could see into their private plottings, it would soon be apparent that the Earl's pursuits are different from what he pretends they are.

18th August.

This day has been a very busy one. The whole of the morn-

ing was occupied in getting ready the prisoners' baggage. We had not received any answer to our Letters of the preceding days, and were thus quite in the dark how to act. We spoke to his Lordship, who foolishly enough observed, that he thought it was very ridiculous to be writing to a person who was at a distance of no more than two hundred yards. It is very evident, he said this with an intention to evade our legal demands. He appointed the Iroquois, as the people to conduct the canoes. We made out a list of them, and as a proof of the malice and suspicion of Lord Selkirk's Agents, even in the most trifling matters, one Lorimier observed, that the crews consisted chiefly of children, as if it were done on purpose.

After dinner, the fatal order for the departure of the prisoners was given. Their baggage was brought out of the Fort, and exposed on the wharf. Before the Gentlemen embarked, they were condemned to pass through a ceremony, which may in itself be considered a most cruel punishment. They were, one after the other, carried from their prison to his Lordship's tent, which had been emptied for the purpose, and here their baggage was opened, rummaged, and strictly searched. Some papers, which, when the first search took place, were said to be of no consequence, their testamentary dispositions, and their money, was taken from them without mercy, and under the smiles of Capt. D'Orsommens. Mr. Spencer and Archibald Macdonald were two very active parties in this abominable ceremony; after which, two soldiers were ordered to search their persons. One of them I saw, had the impudence to put his hands into the pocket of Dr. McLaughlin's trowsers. Mr. McGillivray, I observed, suffered very much from such harsh treatment, which was aggravated by *Lord Selkirk refusing to let his own servant go with him*. After this, they went off in three canoes, and a fourth with soldiers followed. All our brave and faithful men, who were spectators of their departure, were silent as the grave! Not from awe of Lord Selkirk's overwhelming power, or of his military precautions and martial law, but from the natural feelings of their hearts, from the unaltered respect they bore for their masters, and from the remembrance of their kindness. Some of these faithful men were not able to

conceal their tears, and I saw, what perhaps few have ever seen,
—I saw an Indian weep!

The Earl's plans and views cannot now be a secret any longer, and the whole of his conduct makes me entertain very serious apprehensions as to the safety of our property, for I anticipate that the whole will be seized upon, if not made away with.

Daniel Mackenzie's examination has not yet taken place: this is the seventh day of his confinement, and moreover, he is the only one of the prisoners kept here.

19th August.

At length the Earl's projects and views, so long disguised, begin to discover themselves. It appears, he has only waited for the absence of our gentlemen, to unmask himself, and put his plans in execution. We sent him a message this morning, requesting an interview. It was granted. We represented the urgent necessity of sending off our canoes for Montreal and the Interior. His Lordship pretended that he could not authorize this without being provided with an invoice of the goods intended for the Interior; and, although we were convinced he had no right to ask such a thing, yet we complied with it, not in consideration of his person, nor through a servile obedience to his unlawful demands, but for the benefit of the North-West Company's trade, and in order to ensure the utmost dispatch. When he was in possession of the invoice, he demanded to see the goods. We took this as a favourable omen, and expected that our entreaties would no longer be laughed at, but ultimately complied with. In this, however, as well as in all he did, he acted hypocritically; and this is the man who boasts of the protection he has afforded the North-West Company's property, by not suffering his soldiers to pillage. I conducted him through all the Dry Goods Stores. He evinced the greatest curiosity in examining every bit of paper that met his eye. At last he found a book on one of the shelves, upon opening which, he found an account under the title of *Shop*. He enquired the meaning of this, which I explained to him. He then enquired whether, if his people wanted any articles, they would be furnished? I answered, that as far as regarded a few articles which he might personally stand in need of, they would not be

refused; but as for his soldiers, it was impossible to do so. He asked me for the tariff. I told him, I could not justify it to myself to give it.—“But,” said he, “there may be some articles which may not be thought of, and be remembered when I see the tariff.” Here, however, his Lordship’s cunning was too evident. I told him, that for that purpose I would show the goods to him. He asked me whether I would refuse the gentlemen who were with him, to let them have some articles? I asked his Lordship whether he would guarantee the payment? He said he would for one Spencer, but for none else. I remarked to his Lordship, that when the master declines to be answerable for his servants, it could not reasonably be expected that a person entirely unconnected with them should be so. After having gone through all the stores, I pressed for his early decision with regard to the dispatch of the goods; and, in fact, in his deceiving way of speaking, he gave me some faint hopes. After this we applied for the removal of the seals, which were still on our desks in the Office, which was done, and a bundle of papers taken out and sealed. After dinner we proceeded to repack the trunks and papers seized and sealed on the 14th instant and following days, in order to make them more convenient to be sent off. I assisted: and, as in the confusion of the first night, various seals had been put on, I now marked and numbered all the parcels, and sealed them with the North-West Company’s seal. There were twenty parcels in all, which were packed in a box. This business being over, I went to the Office, and there, to my great surprize, found the constables, M’Nabb, and M’Pherson, who had got possession of the keys of all the stores and warehouses, and were ready to march off with them, I enquired into this extraordinary circumstance, and was told that they had seized the keys *in virtue of a Search-warrant issued by the Earl of Selkirk*. I demanded to see this Warrant, which was very reluctantly complied with. When I had perused it, I observed to the constables, that they had acted contrary to the tenor of the Warrant, and that I therefore protested against the illegal taking possession of the keys, and

against their postponing the search till next day. That the Warrant very distinctly stated, that the constables should enter *in the day time* into the North-West Company's houses and warehouses, and there search, &c. But that the Warrant by no means authorized them to seize the keys of those buildings in the middle of the day, and carry them off, because we had been stupid enough to suffer such lawless acts without remonstrating. That I insisted, therefore, on the keys being immediately returned, and as those of the provision stores were still in my possession, I resolutely refused to give them up, and declared I should hold those who had the superintendence of those stores, answerable for the consequences, in case they gave way to the illegal demands of the constables. Macpherson then went for the Earl, who came in a great passion, enquiring who had opposed those keys being put into the custody of his constables. I came forward, and told him it was I, and that as long as I remained in charge of the North-West Company's Concern, I would never sanction any such illegal actions; that I did not by any means, intend to oppose the execution of legal Warrants, or obstruct the legal measures adopted by him, in his capacity as a Magistrate, but that, at the same time, my duty was imperative, and that as long as I had the power, I would stand forward to protect the property entrusted to my care, against any illegal attack. The Earl then frivolously pretended that this Warrant could have no effect without his being in possession of all the keys; adding, that he had studied the laws of his country too well, not to know them better than *a foreigner*. I observed to his Lordship, that my being a foreigner had never been any thing *against* me, in the eye of every man of sense, and that I certainly confessed I was not lawyer enough to explain in how far he could in this case, and upon this Warrant, extend his authority, but that nothing could be plainer, than that an order to *enter in the day time into a certain place, and there to search for certain goods*, could not be explained to mean to *seize all the keys of such places, and carry them off*. He threatened, that if the keys were not immediately given up, he would force them from me by military

coercion. I told him that they should not be put in his possession till he did so, and I insisted upon the Warrant being put in execution without delay; that it was full day-light (half-past four P. M.), and that I was ready to give his constables access to any place they might desire to search. My determination had the desired effect: his Lordship lowered his tone, and we proceeded to the examination of the provision stores, where none of the goods sought after were found, and the keys of those buildings remained in our possession. It being now too late to search the other buildings, I agreed with the constables, that all the keys should remain this night in my possession, locked up in a box, of which they should keep the key, which was done accordingly; and that we should go on to-morrow morning at six o'clock.

Amongst other representations made this morning to the Earl, we told him that if our men remained eight days longer on the ground, we should be short of provisions; and that our fisherman being prevented from pursuing his avocation, this also very much contributed to diminish the stock of provisions on hand; but as usual, our remonstrances had no effect, and no notice was taken of them.

The Earl now occupies two rooms in the mess-house. Two soldiers, with fixed bayonets, are stationed in the hall when we take our meals.

Daniel Mackenzie is not yet examined: this is the ninth day of his imprisonment.

20th August.

Before six this morning, we proceeded to search for the *stolen furs** at Brandon-house, as the Warrant expresses it. We began with the Dry Good Stores, and no furs being found there, the keys were delivered up to me, according to what had been agreed last night with the Earl. Upon entering the Fur Store, they found a vast quantity of peltries, some packed and others not. They saw the difficulty of their enterprise,

* These were the furs stated before to have been taken on the 19th May. See page 50.

and in order to put it off, to kill time, and to throw the North-West Company's Concerns more and more into confusion, new and arbitrary orders were issued by Lord Selkirk, to search the stores over again which had just been gone through, under the provoking pretext, that furs, papers, or other articles might be concealed in the bales of dry goods. I however refused to admit them again, as they had once already, in their capacity as constables, declared that they were satisfied the objects of their search were not there. This was reported to the Earl, and *as his Lordship thinks nothing of issuing Warrants to the first who applies for them, a fresh one was immediately made out, which was presented to me before it was dry*; this arbitrary document was of the same tenor as the one mentioned before, only with the addition of the words, "and various articles."

It certainly required more than a common stock of patience to submit to such a number of wilful provocations; especially where it was evident they originated in interested motives, the spirit of retaliation, and the criminal object they had in view, of the total destruction of our trade, and where too they were backed by a ferocious band of lawless soldiery, with arms and artillery; where too these illegal acts were all committed under the pretence of Law, and where the only acting Magistrate was at once our violent oppressor, and our interested rival in trade. Though but little acquainted with the British Laws, I cannot allow myself to think they can in any way sanction Lord Selkirk's conduct. And I cannot help remarking here, that at the time of the French Invasion of my own country, I witnessed much injustice, and a defiance of law and morality, with all the evils accruing to a country overrun by a debauched and ferocious military horde, yet I saw no injustice so glaring as what was committed by the Earl of Selkirk and his agents here.

I have just this moment returned from one of the Warehouses, where they are *searching*, as they call it, for papers or arms in suspicious places, but where they are committing acts which would make a French *Douanier* blush; and all this

authorized, instigated, and ordered by a man, vested with the dignity of a Magistrate, and who has the honour of being a Peer of the Realm of Great Britain. They are cutting open bales packed ready for embarkation, and where it is most clearly evident that nothing they are searching for can be concealed. Certainly their warrant does not authorize them to take inventories of the contents, in order to promote Lord Selkirk's mercantile views, to turn every thing upside down, and to leave in a confused heap, what had cost many a day's labour to get ready and pack up. I have remonstrated against their conduct, but they laugh at me. The presence of Lord Selkirk with his troops, and the absence of all law and right, support them in this behaviour. Capt. Matthey, and M'Pherson the constable, were the actors in this disgraceful scene.

At about one o'clock P.M. Mr. John M'Gillivray arrived from the interior, in company with Archibald M'Gillivray and William Henry. They had scarcely entered the gate when they were stopped, and about five minutes after a Warrant was served, and John M'Gillivray taken prisoner, confined, and all access to, and communication with him forbidden. Archibald M'Gillivray and William Henry are Clerks to the North-West Company.

At length Daniel Mackenzie has undergone an examination, and was committed to the gaol where the common men are confined.

A circumstance which cannot be passed unnoticed, and which shows no small degree of effrontery and impudence, is, that when we had complied with Lord Selkirk's request to give up a few rooms for some sick^d people and women, as we were told, the weather being very bad and cold, and these rooms were occupied accordingly; yet now these same sick people and women are having a dance in one of these rooms, with music, singing, and other annoyances to the peaceable and lawful inhabitants of the Fort.

The gentlemen who arrived this morning, as before-mentioned, are deprived of their baggage, which has been locked

up by the Earl's orders, probably to be examined. But why put this off till another day, and keep these persons, just arrived from a long voyage, from their clean linen and other comforts, just to suit the convenience of Lord Selkirk and his constables?

Mr. Tait, who has the superintendence of the buiklings, &c. in the Fort, represented this morning to his Lordship, that his soldiers had carried off and burnt a great part of the pickets and fences. Lord Selkirk replied, *that it was what might naturally be expected, when they were not supplied with fuel!*

21st August.

I went to see the Earl this morning, and mentioned to him that the dry goods stores had been searched a second time, so that there could not be any longer any obstacle to sending off our goods; but as usual, new pretexts, and new difficulties, were started, and in consequence of this we sent him this afternoon at four o'clock the following Protest.

“ We the undersigned, being duly appointed by William
 “ M'Gillivray and Kenneth Mackenzie, Esqrs. Agents for the
 “ North-West Company, to superintend, direct, and govern their
 “ concerns during their and the Proprietors of the said Com-
 “ pany's absence, and having repeatedly represented to the Right
 “ Honourable the Earl of Selkirk, at present the only acting
 “ Magistrate at this place, as well by word of mouth as in writing,
 “ that it is of the most urgent necessity that the forwarding of
 “ the goods and merchandize, prepared, baled, packed, and
 “ ready at this place, for various quarters of the Indian Country,
 “ and solely intended for the supply of the Indian or Fur Trade,
 “ should not be obstructed, impeded, nor retarded; as also that
 “ the Furs and Peltries, at present stored here in the North-
 “ West Company's warehouses, should forthwith, and without
 “ any delay, be sent off for Montreal, and that in consequence
 “ of this, and for this purpose only, the necessary workmen, who
 “ by notarial agreements are in the service and pay of the
 “ North-West Company, should not be prevented nor hindered
 “ from fulfilling the duty required of them; and whereas the

" said Right Honourable the Earl of Selkirk has hitherto,
 " through various Warrants in his name issued, caused the above
 " representations to be without effect, and also caused a pernicious
 " delay in the regular course of the North-West Company's trade; and whereas the afore-mentioned Warrants have
 " every one of them been put into execution, and thoroughly
 " carried into effect, in as far as regards the goods and merchandize
 " designed for the Interior, or Indian Country, and the
 " execution of the said Warrants, in regard to the Furs and Peltries
 " aforesaid, and designed for Montreal, been postponed
 " without any legal reason assigned; we the undersigned Superintendants,
 " and Managers of the North-West Company's Concerns, do therefore jointly
 " and severally, in the name and behalf of the Proprietors, most formally
 " and solemnly Protest against the detention of the North-West Company's goods
 " and merchandize, and the obstruction put to their regular trade,
 " and also against all those whom it may concern.

" Done at Fort William, in the district of Kaminstiquia,
 " this 21st day of August, in the year of our Lord 1816."

(Signed)

" J. C. M'TAVISH, (L. S.)

" J. VANDERSLUYS, (L. S.)

" Signed, sealed, and delivered,

" in the presence of

(Signed)

" ROBERT M'ROBB,

" ROBERT COWIE."

I offered this morning bail for Daniel Mackenzie, which was refused.

22nd August.

Early this morning, before day-light, I believe, a canoe arrived with dispatches from Montréal for the Company. They were taken from the guide, and put into the custody of a soldier of the 37th regiment. When I was informed of this, I addressed the Earl of Selkirk as follows:

" *To the Right Hon. the Earl of Selkirk, Justice of the Peace;*

" MY LORD,

" Whereas a canoe arrived this morning from Montreal, with
 " dispatches for the North-West Company, and which have been

“ taken by Captain Matthey from the bearer of them, and
 “ placed under the charge of a centinel ; we take the liberty to
 “ apply to your Lordship, in order to know the reason of such
 “ proceeding, and to have the aforesaid dispatches delivered up
 “ to us.

“ We are,

“ My Lord,

“ Your Lordship's humble and obedient Servants,

(Signed)

“ J. C. M'TAVISH.

“ J. VANDERSLUYS.”

After breakfast his Lordship sent word that he wanted to see us. He informed us, that the dispatches had been seized upon the same principle as the other papers of the North-West Company, and were equally liable to be examined. I questioned the legality of this, as these dispatches could not have been included in his former Warrant, and no new one having been served.

He also communicated to us, that he had received our Protest of yesterday; adding, that we were ourselves greatly the cause of the delay which was put to the forwarding of the goods, for not having put him in possession of the invoices of the goods intended for the Interior. The hypocrite! We have done more than with any degree of propriety we ought to have taken upon ourselves. But his mask is only torn as yet, it will soon be completely thrown off.

At this interview he handed in the following Letter :

“ *Fort William, August 1816,*

“ GENTLEMEN,

“ In order to obviate the possibility of any mistake, I beg
 “ to have your answer in writing to this query :—Whether the
 “ thirty-four packs of Furs marked RR, which you have pointed
 “ out as those set apart by order of the Agents of the North-
 “ West Company, are to be given up to the Hudson's Bay Com-
 “ pany as their property, and whether on this principle, you are

" ready to send them down to Montreal, consigned to Messrs.
 " Maitland, Garden and Auldjo, Agents of that Company ?

" I am,

" Gentlemen,

" Your obedient Servant,

(Signed) " SELKIRK.

" *To Messrs. M'Tavish and Vandersluys.*"

After we had gone to the Office to write an answer to the above, his Lordship sent word, that he intended to proceed to the examination of the box with dispatches, which was done accordingly in our presence. The contents were principally the Proclamations of His Excellency the Governor in Chief, but amongst others, there was a Letter addressed to A. N. M'Leod, which his Lordship broke open and read. It was from John M'Tavish in Montreal, and contained nothing but private matters. Mr. M'Leod being no prisoner, I know not in how far this may be justifiable. Another letter with the Quebec post-mark, and addressed to James Hughes, was put by with the other papers. We represented to the Earl the urgency of forwarding Governor Sherbrooke's Proclamations to our Gentlemen in the Interior, and that for this purpose we could get a canoe ready, and select a crew in a very short time; which his Lordship said he would take into consideration.

We now sent an answer to the Earl's before-mentioned Letter, which were in the following terms, and handed to him by M'Robb, at eleven o'clock this morning.

" *To the Right Hon. the Earl of Selkirk.*

" MY LORD,

" In reply to the Letter which was handed to us this morning,
 " personally by your Lordship, we beg to state, that the thirty-
 " four packs of Furs marked R R, which have been set apart
 " from the other peltries of the North-West Company, cannot
 " be given up as Hudson's Bay Company property, but that we

“ are ready to send them down to Montreal, to the care of
 “ some house unconnected with both Companies.

“ We are,

“ My Lord,

“ Your Lordship's most humble and obedient Servants,

(Signed) “ J. C. M'TAVISH.

“ J. VANDERSLUYS.”

While writing this, I receive information that our workmen in the carpenter's house have been turned out, and the place occupied by nine soldiers, who are making gun-carriages.

After I had ascertained the truth of this report, I communicated the fact to M'Tavish and others. We agreed to apply to the Earl of Selkirk, in his capacity as a Magistrate, and there made oath, that nine men had been ordered by Captain Matthey, to take possession of the North-West Company's carpenter's house, and there to make gun-carriages; that not only our tools were made use of for this purpose, but that we had every reason to believe that the North-West Company's wood also was converted to it;—that we considered it as a breach of the peace, and that upon our remonstrating with Captain Matthey on the subject, he seemed to put the laws at defiance, by telling us *that he would go on with it*. That having received this morning Governor Sherbrooke's Proclamations, we the more insisted upon his Lordship using his authority as a Magistrate to bring Captain Matthey to give an account of his conduct in this respect. Though the Earl's answer was not difficult to be anticipated, yet we made the application to him for our own responsibility. M'Tavish and myself were the plaintiffs, M'Robb and Cowie, the witnesses. Having represented the facts as above stated to his Lordship, he enlarged much on the subject, but when we pressed more and more upon him, that *as a Magistrate, and the only one in the place, we would not expect that justice would be refused us by him*, he flew into a passion, saying, that he could not interfere for the North-West Company as he would for any one else, and that he had not the entire controul over these people;—that

he did not know if they would obey him ; and that he did not choose to risk his own personal safety for the sake of protecting the North-West Company's property.

This evening a soldier asked me for candles for the guard-house. I told him it was not to me he should apply for them. He returned, and his Captain sent me word, that if no candles were supplied he would light a fire in the middle of the Fort.

Daniel Mackenzie has been removed from gaol, and is now confined in his own room.

Lieutenants Misani and Brumby left the Fort in the afternoon, at about three o'clock. They intend to encamp on the Island till to-morrow morning ten o'clock, in order to conduct Mr. John M'Gillivray, whom Lord Selkirk intends to send down to the rest of the prisoners.

This morning the old Warrant was again put in force, and the trunks of all the wintering Clerks searched.

23rd August.

This morning, before six, Mr. Spencer brought a message from his Lordship, that provisions should be given to the crew of a canoe intended to take down two prisoners. To this objections were made on our part. Lord Selkirk sent a written order for the purpose, of the following tenor :

" SIR,

" You will please furnish the canoe, now to set out with
" Mr. M'Donald and the prisoners going to Montreal, with provisions and other accommodations for two gentlemen and the
" crew, in the same proportion as usually supplied for that
" voyage.

" I am, Sir,

" Your obedient Servant,

(Signed)

" SELKIRK.

" *To Mr. J. C. M'Tavish.*"

I had this morning taken into my possession the key of the carpenter's shop, as it appeared that his Lordship did not take any steps to investigate our just complaints, M'Tavish thought

it was better to give up the key. Capt. Matthey told me *that he would not answer for my safety*, in case his soldiers took it into their heads to revenge themselves upon me, and that therefore I should take care of myself; the more, *as his people had been so long accustomed, in Spain, to scenes of murder and pillage.*

Mr. John M'Gillivray was sent off this morning to the Island, where the two officers were waiting for him. The canoe returned a short time after. In the afternoon, the canoe with the two prisoners (Brisebois and La Vigne) went off, conducted by Archibald M'Donald and Williamson.

Besides the carpenter's shop, the smith's shop has also been taken possession of, and both our wood and iron is made use of. Our potatoe fields and garden are ransacked by the Earl's people, and our remonstrances against this, laughed at. If the gates are locked, they are broke open, and the pickets and fences destroyed.

24th August.

The whole of this day passed without any thing worth mentioning. His Lordship has not made his appearance at all, and has been writing the whole day.

A boat arrived to-day for the Earl, with some Glengarys, and Hector M'Donald.

Pierre Banza is at liberty, and two or three more, as I understand. Daniel Mackenzie is still in close confinement.

25th August.

This morning we waited upon the Earl, and insisted now more than ever, to have his decided answer in regard to our Trade, and to know whether it was his intention to prevent our Goods from going into the Interior, and our Furs to Montreal, and so put a final stop to our business? With various pretences, he sufficiently gave us to understand, that it was his determination not to suffer any of our Goods to be sent into the Interior, nor to Fond du Lac; and with regard to the Peltries for Montreal, he had some proposals to make which (these were his own words) "were the result of a very long

“consideration.” But before he could enter into them, he required to see the written document by which Mr. M’Gillivray had vested in us the power to act without reserve in behalf of the North-West Company, during the absence of the Agents and Proprietors. We told him we had no such document, but that we considered Mr. M’Gillivray’s word on the subject, given to him personally, in the presence of all the North-West Company’s Partners then at Fort William, and in the presence of several other gentlemen, as a sufficient warrant for the approbation of any arrangement on our part. He observed, that he should wish to be provided with a Certificate, signed by the witnesses who were present when Mr. M’Gillivray committed to us the power to act in behalf of the North-West Company, as he could not take upon himself the responsibility of a mere verbal communication. We complied with this in the following words :

“ We, the undersigned, do by these Presents declare, that
 “ we were present when William M’Gillivray and Kenneth
 “ Mackenzie, Esqrs. Agents regularly appointed for the North-
 “ West Company, did, on the morning of the 14th of August,
 “ 1816, before the Right Honourable the Earl of Selkirk, and
 “ in presence of all the Partners then at Fort William, and in
 “ the name of the Company at large, appoint James Chisholm
 “ M’Tavish and Jasper Vander luys, as Head Clerks, and vested
 “ in them full power and authority to act for the North-West
 “ Company during their and the Proprietors’ absence.

(Signed)

“ ROBERT M’ROBB.

“ *Fort William, 25th August, 1816.*”

He was not satisfied that this was signed by only one, but we told him that on our part there had not been any one else present, now in the Fort, except Daniel Mackenzie the prisoner, whose signature was then got, to ratify it. His Lordship being now in possession of this document, we expected his overtures, but as usual, new delays took place: he now told us that he must consider of the extent of our powers, and would therefore

postpone the proposals he had to make till to-morrow, adding thus another wasted day, to the many that had gone before.

Four batteaux went off this morning for St. Mary's and Drummond's Island, for provisions, under the guidance of M'Nabb.

Two canoes loaded with arms and ammunition started in the afternoon for Fond du Lac, under the command of Mr. Pambrun.

26th August.

A light canoe started this morning, at seven o'clock. She was manned by nine Canadians, and bound, as I understand, for Lake Winnipic, Mr Pritchard, commander. Baptist Wells, one of our men, was amongst the number, and engaged to them.

After breakfast we waited upon the Earl, agreeable to the understanding of yesterday. We were received with more than usual politeness. Dr. Allan was present. The Earl told us, that he had weighed the extent of our authority, and that he was of opinion that, under the circumstances in which it was given, it would be considered in a Court of Justice, as equivalent to a regular Power of Attorney. He then proposed, that as a law-suit would be extremely tedious and expensive, an Arbitration should be entered into in London, for the settlement of all the differences which had existed between the two Companies for the last four years. We acquiesced, that certainly some amicable arrangement would be far preferable for both Companies than engaging in suits at law; but that as the subject was too important to be treated verbally, and as we were now well acquainted with the outline of his plan, we requested he would put his proposals in the shape of a letter; and that we would reflect upon the matter, which he promised to do, and in the afternoon we received the following Letter:

“ Fort William, 27th August, 1816.

“ GENTLEMEN,

“ Understanding from the papers which you showed to me yesterday, as well as from my own recollection of the ver-

" bal declaration of Mr. M'Gillivray and the other Partners of
 " the North-West Company, on the 14th instant, that you have
 " full power and authority to act for the Company, in the same
 " manner as if these Gentlemen had signed a Power of Attorney
 " in regular form; and understanding also, that you are disposed
 " on the part of the North-West Company, to put an end to
 " the disgraceful system of lawless retaliation which has hitherto
 " prevailed in the Interior, I beg leave to propose an arrange-
 " ment, which I trust will effectually accomplish that object.

" 1st, That we should agree upon two Gentlemen at Lon-
 " don, of the highest character, as men of business as well as
 " men of integrity, to be appointed Arbiters between the North-
 " West Company and me, with full power to investigate all the
 " acts of aggression or illegal injuries alledged to have been com-
 " mitted on either side, during the last four years, in the territo-
 " ries of the Hudson's Bay Company or North-West; under-
 " standing that on both sides the parties shall be liable for the
 " damages arising from acts committed by those under their
 " controul; that I shall be liable to indemnify the North-West
 " Company for any injury done by my Agents, Servants, or Set-
 " tlers acting under them; and that, on the other hand, the
 " North-West Company collectively, shall be liable to indemnify
 " me for any injury done by any of their Partners, Clerks, or
 " Servants, or by any person employed by them; and that the
 " Arbiters, after hearing the evidence on both sides, shall deter-
 " mine on the whole, what compensation is to be paid by either
 " party to the other.

" 2d, That the Furs now in store at Fort William, shall be
 " consigned to some house at Montreal, not connected with
 " either party, to be by them shipped for London, and consigned
 " to the Arbiters above-mentioned, or to some mercantile house
 " to be named by them. That the Arbiters shall be authorized,
 " as trustees, to dispose of this property, and to vest the pro-
 " ceeds as may appear to them most advisable, till their final
 " Award is given, and that if a compensation for damages
 " is found to be due by the North-West Company, the funds

“ thus placed in the hands of the Arbiters, may be applied by
 “ them to this purpose.

“ 3d, That a proportion of the Furs shall remain in store
 “ at Fort William, till it be ascertained whether the Partners of
 “ the North-West Company at Montreal, or elsewhere, ratify
 “ and confirm the Agreement; and that if by direct or indirect
 “ means, they prevent this Agreement from being *bona fide* car-
 “ ried into effect, I shall be at liberty to distrain these Furs, and
 “ all other goods remaining at Fort William, by the ordinary
 “ process as at common law, so as to keep them as a pledge for
 “ the payment of the compensation for damages due to me by
 “ the North-West Company, and for the restoration of my pro-
 “ perty, illegally seized by their servants in the month of June
 “ last, and now in their hands.

“ 4th, That till the restoration of the property so illegally
 “ seized, I shall be supplied with any article for which I may
 “ have occasion, of the property of the North-West Company at
 “ this place, for which the Company is to debit me at the same
 “ rate that they charge for supplies furnished to their own Pro-
 “ prietors individually.

“ I flatter myself that these Propositions are so evidently
 “ reasonable, that they cannot fail to meet with your approba-
 “ tion, and that as they have been dictated by a sincere desire
 “ of conciliation, they will be received by a corresponding spirit.

“ I am,

“ Gentlemen,

“ Your very obedient Servant,

(Signed)

“ SELKIRK.

“ *To Messrs. M'Tavish and Van-*
 “ *dershuys, acting for the North-*
 “ *West Company.*”

And so the Magistrate has at last thrown off the mask en-
 tirely!—Our answer to these inadmissible proposals required
 very little reflection, and here it follows:

"Fort William, 26th Aug. 1816.

" MY LORD,

" We have received your Letter (dated the 27th instant)
 " which was handed to us this day, proposing to effect an ar-
 " rangement through the medium of Arbitration, in regard to
 " some of the existing differences between your Lordship and
 " the North-West Company.

" We have maturely considered and deliberated upon the
 " object in view, and though we have verbally expressed to
 " your Lordship, that it is our sincerest wish and desire to esta-
 " blish some Convention which may contribute to conciliate the
 " parties, yet we are extremely sorry to state, that finding the
 " principle of the proposed conditions to that effect utterly in-
 " admissible, we cannot conscientiously enter into the negocia-
 " tion, as intended by your Lordship; and as the interference of
 " the Legislature must be the inevitable consequences of the
 " measures already resorted to by your Lordship, we are of
 " opinion, that it is by far preferable that the *whole* of the ex-
 " isting differences shall be brought before a Court of Justice.

" We therefore beg leave to request your Lordship to fa-
 " vour us with your decided answer, in regard to our Goods for
 " the Interior, and our Peltries for Montreal, in order that we
 " may be enabled to take the necessary measures to prevent the
 " state of starvation, to which, on account of our small stock
 " of provisions, every day's delay contributes so materially."

" We are,

" My Lord,

" Your Lordship's most humble

" and obedient Servants,

(Signed)

" J. C. M'TAVISH.

" J. VANDERSLUYS.

" To the Right Honourable

" the Earl of Selkirk."

27th August.

The Earl sent for us this morning. He told us he had re-
 ceived our Letter of yesterday, and that our answer was such

as he could not have expected, from the motives which had dictated his. That as there was now no other alternative, our men would be obliged to go down light; that we might make the necessary preparation for sending them off, and that he would give us a formal answer to our Letter, to that effect.

I communicated my intention to the Earl, to leave Fort William to-morrow for Montreal, my presence being no longer necessary, since he had now decidedly refused to let the Peltries be sent off. To this he made no objection.

28th August.

Lord Selkirk asked me if I continued of the same opinion with regard to his proposals. I told him I did. He asked me if I could tell him the amount of Goods on hand at Fort William, exclusive of the Peltries. I told him I could not. Because, added he, there might still be found means of sending the Peltries down, in case the Goods amounted to as much as his demands upon the North-West Company did. I told him that no agreement or convention could be made whilst he laid down as a principle, the retention of *a pledge or indemnification*; but that as I was aware he was in distress for many articles, I was willing to consult with M'Tavish on the subject, and perhaps let him have a certain quantity of goods, by way of obliging him, and at the price of cost and charges, with a certain advance to be agreed upon, and on the condition of immediate payment on my arrival at Montreal, as well as under the stipulation that our Peltries should go down without any restraint. He answered, that he could not accept of such proposals. I then told him, that I considered all negotiation as at an end, and that I should forthwith proceed to Montreal, to carry thither an account of his conduct, making him at the same time answerable for any loss the North-West Company might sustain by the detention of their goods. I asked him if he would favour me with his answer to our Letter, as he had promised yesterday. He replied, that upon consideration, he did not think it necessary to give such answer to me, but that he would do so to those who were

entitled to ask for it. I requested an explanation of what he meant by this—and he said he would explain his reasons to people of superior authority.

I left Fort William in the afternoon, at about four o'clock, and arrived at Montreal on the 14th September.

THIS simple and correct detail of the most extraordinary outrage which was ever committed against the Laws of a Civilized Country, by a person of the rank of Lord Selkirk, will in itself create sufficient astonishment; but it is impossible not to advert to other circumstances connected with it, which still more aggravate the enormity of the transaction.

The persons arrested, after being treated with studied indignity and insult, were embarked as prisoners, under a guard of foreign soldiers, in their own canoes, manned with their own servants, but not prepared in the usual manner for the accommodation of passengers: others, fit for their conveyance, had been got ready by their Clerks, in which they were not allowed to embark; and those selected, were so overloaded, as to place the passengers in imminent danger of their lives. There were above fifty canoes in the Fort, from which a sufficient number might easily have been appropriated for the *safe* conveyance of the prisoners, had Lord Selkirk considered their safety of the most trifling importance. One canoe, in which three prisoners, Kenneth Mackenzie, Allan

Macdonell, and John M'Laughlin, were embarked, was considerably under the usual size, and could not carry with safety more than fifteen persons, with their baggage and provisions; yet entirely disregarding the representations and remonstrances made of the danger to be apprehended, his Lordship ordered twenty-one persons to be embarked in it, and, as had been predicted, in the passage on the Lake the canoe filled and upset, *in consequence of being so overloaded*; Mr. Mackenzie and eight other persons were drowned, and the survivors narrowly escaped with their lives*.

To create delay, and prolong the confinement and the sufferings of the prisoners, the guard was ordered to convey them to Sandwich, in the Western District of Upper Canada, where the Warrant directed their committal to the common gaol, at a distance of 600 miles from the Court which had legal jurisdiction of the case; his Lordship having calculated upon their detention at Sandwich for some weeks, before their liberation by writ of *Habeas Corpus* could take place.

Fortunately, however, on their route to Sandwich, they were obliged to pass through York, and the Judges and Attorney-General being then on Circuit at Kingston, the Governor ordered the

* How far the Earl of Selkirk is legally responsible for death thus happening, in the prosecution of an unwarrantable act, and while an innocent man was under conveyance by his orders in a state of unlawful imprisonment, may perhaps be doubtful; but it cannot be doubted, that a heavy *moral* responsibility attaches to his Lordship in this transaction.

guard to proceed there. The Judges, finding the crimes charged in the Warrant were alledged to have been committed in the *Indian Territory*, directed the prisoners to be taken to *Montreal*, and thus frustrated his Lordship's plan, for subjecting these Gentlemen to a prolonged and degrading imprisonment.

On their arrival at *Montreal*, they were brought before the Court of King's Bench, and the most vindictive arguments were urged for their commitment. The crimes imputed to them were very serious—no less than High-treason, Conspiracy, and Murder! If there had been a shadow of proof in support of such accusations, the Court must have committed them; but they were, without hesitation, admitted to bail.

The conduct of Lord Selkirk, in possession of *Fort William*, was as indefensible as were the means by which he had acquired it. While vengeance and rivalry against the Proprietors and the Company, were his real motives and feelings, in gratifying those passions he adopted the forms of justice; and, as if conscious this would avail him little when the day of trial and retribution should arrive, he employed the additional precaution of obtaining, by threats or intrigue, from the astonished Clerks left in possession of the property, their sanction and ostensible warrant for his proceedings. While Mr. Vandersluys remained, he acted with coolness, firmness, and propriety;

but after his departure, the other Clerks, confounded at the scene passing around them, were induced to fit out canoes manned with their *Employers' people*, and equipped with their property, to forward his Lordship's expresses to the Interior, and to assist in his trade ; and it is certainly some apology for them, that upon the least demur to the execution of his mandates, a file of men, with fixed bayonets, was at hand, to enforce his Lordship's commands. He turned out the people to seek shelter where it could be found, and refused the reiterated entreaties of the remaining Clerks, to permit about sixteen canoes, whose cargoes had been already assorted and made up for the Trade, to proceed to their destination. The Furs on hand, to the value of about 60,000*l.* were already, as appears by his Letter, appropriated to his special indemnification for losses he had sustained in his own speculations, under the pretence that his projects had been injured by the owners of the property.

Knowing the value of the North-West Company's servants who were to have proceeded in their service to the Interior, for the winter trade, he enticed such of them as he could persuade, or delude into his service, by pretending a secret authority for all his aggressions on their masters, and by alledging that he could release them from their engagements. Those whom he could not debauch, were kept in useless inactivity at a grievous expence; at a time when their services were so essen-

tial ; some who resisted these acts, were sent down to Canada, under pretext of being required as witnesses on the trial of their masters ; and others, his Lordship ordered in the King's name to labour in his service. He imprisoned many at pleasure, in order to terrify them into submission, and to extract information, by holding out to them the hope of release, or the terror of accusation*.

As soon as intelligence of these lawless proceedings was received at Montreal, Mr. Richardson repaired to Quebec, to lay a full account of the particulars before Sir John Sherbrooke ; and Mr. McGillivray followed the moment he was liberated from confinement.

The Governor listened with attention to the complaints of these Gentlemen, and gave them every assurance that the Provincial Government would afford all the assistance in its power, consistent with justice and impartiality, to those placed under its protection. More was not desired, but they were convinced extraordinary measures could alone rescue their property from the lawless banditti who had possession of it, and who, it was evident, could not, on all occasions, be controuled by their leader. The season was rapidly advancing, and the North-West Company entertained no doubt that the further object of Lord Selkirk (for which, indeed, he had already made preparations), was to obtain possession of the com-

* See the Depositions of Robert Cowie, and Robert M'Robb, in the Appendix, Nos. XXI. and XXII

munication between Lake Superior and the Interior, and to prevent any information of the occurrences at Fort William, excepting such as were favourable to his own objects, reaching the Wintering Stations. Although the parties he had dispatched for this purpose were not sufficiently numerous to act hostilely against the Trading Posts, still the impression the whole proceeding was calculated to produce on all persons having charge of the Company's Concerns, and which could not be removed by correct information, was much to be apprehended; and Lord Selkirk might succeed, by intimidation, or by reinforcing, in spring, the parties now sent forward to intercept the returns of the winter's trade, which he could either detain in the Interior, or send down from Lake Winnipeg to Hudson's Bay. The North-West Company could place no reliance on his Lordship's abstaining from any measures which might complete their ruin, and in this manner he might obtain possession of their property in the country, to the extent probably of 250,000*l*.

Sir John Sherbrooke, unprepared for an emergency he could not contemplate, even from the preceding intelligence of the transactions at the Red River, found it necessary to proceed with extreme caution and deliberation. He had probably no instructions from His Majesty's Ministers, what course to pursue in the disputes which they must have been aware would arise between the parties *in the Indian Country*. Upon reference,

however, to the Legal Authorities at Quebec, it was found that Fort William, the scene of this last outrage, was *situated in the Western District of Upper Canada**, and Sir John Sherbrooke was desirous of consulting Mr. Gore, the Civil Governor of that Province, then at York, respecting the measures which it might be expedient for them to take jointly, on the occasion.

In the mean time, in the hope that the Governor might be induced promptly to interfere, and to send up an Officer with sufficient force and authority, to restore to them possession of their property, the North-West Company had equipped two brigades of canoes at Montreal, manned with Canadians and Iroquois Indians, to bring down the Furs for embarkation to England. These, with the exception of two canoes left behind to take up the expected Authority, were dispatched under the command of Mr. De Rocheblave, one of their Partners, to wait at the Sault, St. Mary's, the entrance to Lake Superior, for further directions. When it was ascertained that some *délay* must take place in the decision of the Government at Quebec, and that Fort William was within the

* That *Fort William*, the scene of Lord Selkirk's last outrage, is within the limits of Canada, and not within the "*debateable ground*" of the Hudson's Bay Company, is incontestible. The French had a Fort or Station, called by them *Camanistigoyen*, nearly at the place now called Fort William, and upon the river now called Kaministiquia, more than a century ago.—See Lahoutain's Travels, vol. i. p. 214, of the English Translation.

jurisdiction of *Upper Canada*, Mr. Henry Mackenzie was dispatched to that Province with the necessary witnesses, to obtain Warrants from the proper Authorities for the apprehension of Lord Selkirk. Mr. M'Gillivray followed towards York, and, on his route, met Governor Gore proceeding to Quebec; but as the navigation would be closed before any measure could be taken, in consequence of the meeting between the Governors, he determined to follow the ordinary legal process for redress. Warrants were granted by a Magistrate of the Western District of Upper Canada, on evidence of Lord Selkirk's outrages, and Mr. Smith, the Under Sheriff, with an assistant, was ordered to carry them into execution. They proceeded forthwith to join Mr. De Rocheblave at the Sault, but so much time had been lost in making these various arrangements, that the plan was entirely frustrated by the lateness of the season.

Mr. De Rocheblave, with his party, reached the Sault, St. Mary's, on the 19th of October; and, having no information of the proceedings at Quebec or in Upper Canada, as a preliminary measure, he sent on to Fort William, a constable and twelve men with Criminal Warrants issued against Lord Selkirk and the De Meuron Officers, by Dr. Mitchell of St. Joseph's. This constable arrived at Fort William on the 7th November, and executed the Warrant, by arresting his Lordship and the Foreign Officers. At first his Lord-

ship hesitated, as to the conduct he should pursue but possibly considering he had gone too far to recede, and knowing the constable had not sufficient force to compel his submission, he refused obedience to his authority. The constable was placed under a guard of six soldiers, who constantly attended him while he remained, but in a day or two he was ordered to leave the Fort*.

After dispatching the constable to Fort William, Mr. De Rocheblave and his party remained about a fortnight at the Sault, in hopes of obtaining further instructions, or authority from Canada; and at length, the season being far advanced, provisions becoming scarce, and the men growing impatient, they had actually set out on their return to Canada, when, in Lake Huron, they met the Sheriff, Mr. Smith, proceeding to join them. They immediately returned to the Sault, and embarked on board the North-West Company's Schooner, *Invincible*, to cross Lake Superior: a gale of wind ensuing, the Schooner was unfortunately wrecked, and totally lost on the 13th November. The crew and passengers were saved, but having no other conveyance, and being unable to continue their attempt to reach Fort William, they were obliged to return, and arrived at Montreal on the 28th December, after a most fatiguing journey, performed chiefly on foot.

* See Appendix, No. XXIX.

Thus Lord Selkirk remains for the winter in quiet possession of the North-West Company's *Depôt and Property*; and it appears further, that he has been extremely active in extending his depredations, and taking forcible possession of all the other Trading Posts and Property within his reach.

One detachment of De Meuron soldiers was sent to *Fond du Lac*, the Trading Post on the River St. Louis, which falls into the west end of Lake Superior, *within the American territory*, as recognized in former and recent Treaties, where Mr. Grant, who had charge, was taken prisoner, and deprived of the property in his possession. The merchandize seized at this station *had paid duties to the American Government*, and was jointly the property of the North-West Company and of *American Citizens who were interested in this part of the Trade*.

Another detachment of his Lordship's soldiers was sent round the Posts on Lake Superior, situated to the eastward of Fort William; and Mr. Mackintosh, the Partner at *Michipicoton*, was taken prisoner.

During Mr. De Rocheblave's detention at the Sault, waiting for the Sheriff, as already stated, a party of De Meuron soldiers arrived with these Gentlemen in custody, proceeding to Canada, in canoes belonging to the North-West Company, and navigated by their servants. Mr. De Roche-

blave took the canoes from the De Meuron guard, but did not further interfere with them or their prisoners. These last proceeded, however, *on their own justification, and surrendered themselves to the Authorities in Lower Canada, where they were admitted to bail on the accusations preferred against them.*

Another party, under the command of Mr. Fidler, was dispatched by Lord Selkirk to seize the North-West Company's Post at *Lac la Plume*, on the communication from Lake Superior to the Interior. Mr. Dease, a Clerk of the North-West Company, who was in charge of this post, refused to surrender it; and as Mr. Fidler was not prepared with sufficient means to obtain possession by force, he was obliged to return, and report his proceedings to Lord Selkirk. His Lordship, to remedy this failure, sent off Captain D'Orsounens, with a party of soldiers and two field-pieces, who regularly invested and blockaded the place. Mr. Dease had with him only seven men, who depended for their subsistence on fishing, and a quantity of "*folle avoine*," a species of wild rice which had been collected in the swamps adjoining the Lake during autumn, and deposited till it could be conveyed to the Fort in winter. Being deprived of these supplies by Captain D'Orsounens' blockade, and that Officer having sent him notice, *that he could not be answerable for the conduct of his soldiers, if they should be further re-*

sisted, Mr. Dease was compelled, by the circumstances in which he was placed, to surrender. This station, after Fort William, is the most important to the security of the Trade, as it is situated upon the immediate communication to the Interior, and is a chief depôt for the stores and provisions of the North-West Company.

It is also stated in recent letters, that Lord Selkirk had made preparations to erect a Fort between Lake Superior and Lac de la Pluie, at the point where, *in his judgment*, the Hudson's Bay Company's Territories commence; and that he has removed from Fort William into the adjacent territory of the United States, one of the wooden buildings or stores belonging to the North-West Company. To both points he was opening *winter roads**, and it is understood he intended to remove the property *out of the jurisdiction of Canada*, as best suited his purpose, either within the alledged boundaries of the Hudson's Bay Company, or entirely beyond the controul of British authority. The Fort between Lake Superior and Lac la Pluie is evidently intended to cut off all communication of the North-West Company's distant Posts with Canada, on the opening of the navigation, and thus, by intercepting supplies, to reduce

* A *winter road* is formed, by merely cutting away trees and brushwood, so as to open an avenue through the woods, which becomes a good *sleigh road*, so soon as a sufficient quantity of snow has fallen to cover the ground.

the Traders to submission, and to obtain possession of the returns of their Trade.

The result of the deliberations of Sir John Sherbrooke and Governor Gore, founded upon the information they possessed, previous to Mr. M'Gillivray and Mr. Mackenzie's journey to Upper Canada, and Mr. De Rocheblave's expedition to the Sault, was the appointment of Messrs. Coltman and Fletcher, Gentlemen of unimpeachable character and independence, to examine into all the occurrences which had taken place, and with full power to act as circumstances might dictate. Notwithstanding the assumed jurisdiction of the Hudson's Bay Company, upon full consideration of the case by the Executive Council, these Gentlemen were authorized to act throughout the Indian Territories as specified in the 43rd of the King; and although the Canadians may not obtain reparation for the past, they expect from the mission of these Gentlemen, protection to their Trade for the future, if the authority they have derived from the Provincial Governors shall be fully and amply confirmed by His Majesty's Ministers. The Commissioners only left Montreal for Upper Canada, where it was necessary to obtain their ultimate instructions, on the 8th of November, but, as might have been expected, from the late season, they found it impossible to reach Fort William. Having received their final instructions at York, they however made the attempt, and proceeded by way of Lake Simcoe, towards Lake Huron;

but at the head of the Notawasaga River, finding ice already formed in considerable quantities, they returned to York, from whence they will proceed in the spring, and they may possibly reach Fort William in the beginning of June.

It has been justly observed, by a writer in one of the Public Journals of Montreal, that in the discussions which have taken place in print in Canada, Lord Selkirk has derived an advantage even from the enormity of the offences of which he stands charged, and that his conduct appears so incredible, that it is difficult to persuade the public, that any person in possession of his reason and senses, should have so committed himself. If this remark applies with any force to what has been already stated, the following transaction, which closes so far the history of his Lordship's proceedings, (and intelligence of which has only been received, after the preceding part of the Narrative had been written), requires all the proof which is offered in support of it, to give it even the sanction of probability.

Of all the Partners of the North-West Company who were arrested *on the same charges* at Fort William, and who joined in the Protest recited in Mr. Vandersluys' Journal, Mr. Daniel Mackenzie was alone detained, as it *now* appears, to answer an especial purpose of the *Noble Lord's*. This person had been for several years at variance with his Partners, and after some tedious legal

proceedings, had consented, *previous* to the capture of Fort William, to retire from the Concern, on the condition of being allowed to retain, (in conformity with the provisions in the Articles of the Company, for retired or disabled Partners) the *profit of half a share for seven years, but without* any power of interference in their affairs. *Disappointed* in his negotiation with Messrs. Vander-shuys and McTavish, Lord Selkirk considered it necessary to devise some other expedient to *confirm* the title he had acquired by military seizure, to his plunder at Fort William, and, *with a full knowledge of Mr. Mackenzie's particular situation*, and relying upon the *weakness of his habits*, it was conceived he might be converted into a fit instrument for this purpose.

It is only necessary to refer to Mr. Mackenzie's Deposition before Messrs. Coltman and Fletcher, the Commissioners appointed by the Canadian Government, for a full account of the Conspiracy attempted by Lord Selkirk and his Agents, against the property and persons of the North-West Company, by the practices imposed upon this unfortunate person.—Kept in a constant state of intoxication, under an impression that his life was in danger, and relieved from different states of imprisonment; first, from solitary confinement in a dungeon, *gradually* as he lent himself to the infamous proposals of his *Gaolers*, he was at length reduced to a state of passive imbecility, and in

that situation, was made to assist in the designs of Lord Selkirk, as he states in his examination. He was first compelled to copy letters *dictated by Lord Selkirk and his satellites*, to the Partners and Clerks in the Interior, giving them an account of the *total ruin of the Company; that the country was declared in a state of rebellion, and all communication interdicted*, and recommending these Partners *to provide for their separate interests by a submission to Lord Selkirk*; he was then, as acting for the Company, made to convey to his Lordship all the property which had been seized at Fort William. After complying with these terms, he was immediately released; and, as far as he could make atonement for his conduct to his Partners, before he could have any communication with them, he appears to have attempted it, by the Protest* before the Notary and Magistrate, at St. Joseph's, against his own actions, as having been practised upon, in a state of perpetual intoxication and rigorous confinement.

It is essential to refer to the documents which were preserved and delivered by Mr. Mackenzie himself to the Commissioners, to form a just idea of the mean and disgraceful arts that had been practised upon him. By one of those accidents which often lead to the detection of felonious conspiracies, the original drafts of the letters he had written, and of the acts he had signed, were retained by Mr. Mackenzie, or rather allowed

* Appendix, No. XXVIII. (L).

to remain in his possession. The greatest part of the papers were not only dictated by Lord Selkirk and his Governor, Mr. Miles Macdonell, but the alterations and additions to the original drafts of the letters which Mr. Mackenzie was compelled to copy, are all in the hand-writing of these parties. Copies of these papers, the original of which are retained by the Commissioners, are annexed to the Affidavit of Mr. Mackenzie,* as referred to in it.

The different Deeds are drawn out with all the legal knowledge which Lord Selkirk possesses, in strict conformity with his proposition in the paper marked F, signed by his Lordship and Mr. Mackenzie, and attested by all his dependants at Fort William.

It is impossible to refrain from making some comment on this infamous proceeding. The Conspiracy is not only intended to deprive the North-West Company of their property, although it will hardly strengthen Lord Selkirk's original title to it, but the letters, especially that to Cuthbert Grant, the Half-breed, who led the party in the conflict with whom Mr. Semple lost his life, are evidently intended to tamper with evidence on which the lives of the parties accused are dependent. That his Lordship was⁷ as much convinced at the date of these letters, as at that of their arrest, not only of their innocence, but of the absolute impossibility of their having been implicated in the crimes of which he has accused them,

* Appendix, No. XXVIII.

the parties never doubted; that Mr. Mackenzie is equally innocent, they are well aware; but under all the circumstances of Lord Selkirk's conduct, they cannot but consider the disclosure of this Conspiracy, as an additional proof of his own conviction, that he had not the smallest particle of evidence to justify their arrest, notwithstanding he was in possession, by means which no person will be found to justify, of their most confidential communications and correspondence. Lord Selkirk had evidently but one object in his accusations and arrests—to terrify the North-West Company into a compromise beneficial to his own interests; and if the proposal to Messrs. Vandersluys and M'Tavish, to assign the property, will not quite bear out the inference, that his Lordship was willing to compound a felony for his own pecuniary advantage, there is no want of proof of it, in his conduct towards Mr. Mackenzie, who was unconditionally liberated the moment he had answered the purposes for which he had been confined.

The persons interested in the Fur Trade in this country, connected with the North-West Company, have thought it necessary to bring these facts before the Public, in answer to the calumnies of Lord Selkirk. They have abstained from strengthening their case by commentary or argument, and leave those who may think the subject sufficiently interesting to read this Pamphlet, to draw the inferences which the facts themselves suggest.

Lord Selkirk has, in his publication, given a

tolerably correct account of the Constitution of the North-West Company. From the conquest of Canada to the present time, the same parties, resident in England and Montreal, have invested and risked the capital which has enabled the Traders in the Interior, with success to extend their commerce from the limits of Canada to the Frozen and Pacific Oceans, while their Chartered Rivals, with all the advantages of their exclusive privileges, and easy communication through Hudson's Bay, have been unenterprising and unsuccessful. To those who have examined the principles upon which commercial interests and prosperity depend, this will not occasion surprize. Superiority of management, and of capital which has enabled the Canadians to extend their discoveries, at the same time they maintained their prior establishments: The very Constitution of their Association founded upon a just distribution of profit between those who furnish the capital, and those who conduct its administration in the Trade: these latter, deeply interested in the success of their exertions, always ready to undergo hardships of a kind little known in Europe, and perhaps unequalled in any other part of the world, and which cannot be expected from the servants of a Company, whose salaries are fixed, and who have no other interest in the profit which may result from their own exertions: such are the means by which the Trade of the North-West Company has been rendered profitable to them-

selves, beneficial to the country, and, at last, an object of envy to the Earl of Selkirk.

Whether this Trade can or cannot be retained to reward the industry of those who have established it, depends upon the promptness of the measures adopted to compel Lord Selkirk to restore his plunder to the lawful owners of the property, and to remove all impediments to the freedom of communication in the Indian Country. The North-West Company are fully satisfied that their claims, and their complaints on the subject of these outrages, have met with every attention from Lord Bathurst, and they feel assured, that until a confirmation of Lord Selkirk's assumed rights, takes place in the Courts of Justice in England, no attempt will be permitted by His Majesty's Government to re-establish this unfortunate Colony. To the parties in England concerned in the Company, the determination of Government in this respect may be of less material consequence, as, if it be thought expedient to sacrifice the Trade for the encouragement of Lord Selkirk's schemes, they can withdraw their capital, and seek reparation for the injustice they have hitherto sustained, by the ordinary course of law, which is open and equal to all classes of their countrymen.* To those, however, who have spent the best part of their lives, and many of whom have irretrievably ruined their constitutions, by the extreme exertions necessary in a rigorous climate, in the prosecution of an arduous, and, as they have till now been taught

to believe, useful and respectable undertaking. the case is widely different ; and to them, any decision which will leave Lord Selkirk in temporary possession of his spoliation, or in the exercise of his assumed authority, will be fatal. One season's interruption in the communication must ruin their trade ; and, unfit for any other occupation, and too old in many instances to change their habits, or to apply the talents or means they possess to other objects, they will find themselves at a late period of their lives, deprived of possibly the only resource on which they can depend for their present existence or future support. These persons are mostly the sons of Highland Gentlemen, Clergymen, and Farmers, who left their own country at an early age, to embark in an undertaking, which, even from its difficulties and adventures, held out an inducement to the enterprising spirit which distinguishes their country. After spending many years in the various gradations through which it is necessary to pass to obtain an interest in the Concern, and a prospect of reward and remuneration for their toils and labour, they find themselves at last sacrificed to the restless and rapacious projects of a person whose fortune and influence, instead of being applied to the benefit and advantage of his country in his proper sphere, have been wasted and misapplied in undertakings ruinous to himself, destructive to others, and disgraceful to his character and station.

It is possible, that in some of the letters written by persons dependant on the North-West Company, the Noble Lord will find expressions hostile to his interests, and by garbling these documents, may present accusations to His Majesty's Government, which may, *prima facie*, carry with them some semblance of probability; and it is not denied, that violences have been committed on both sides, which are extremely to be regretted: but the North-West Company challenge the most minute investigation into their conduct, with only such allowance as may fairly be made in that of their servants, who have, on some occasions, against their express orders, retaliated for injuries they had previously sustained. They have always represented the impossibility, in such a country, and at such a remote distance from legal restraint, of repressing the acts of lawless individuals, who may falsely represent themselves to be sanctioned by authority. As stated in the representations made to Government on the subject, before Lord Selkirk's interference in the Trade, the Canadians had sometimes, and especially in the contests of rival Traders, complaints to make on this subject, which gave rise to the Act of the 43rd of the King; and if that authority had not been disputed, and attempts had not been made to substitute in its place a jurisdiction, which it was openly avowed would not be acknowledged by one of the parties, the difficulties which have arisen, might have been avoided.

The North-West Company have been at all times ready and anxious to meet questions of right in the Courts of this country, and would gladly have instituted proceedings to ascertain them, if they could have removed the legal impediments in their way. They have directly offered to Government to proceed at their own expence to try by *scire facias*, or *quo warranto*, the rights of the Hudson's Bay Company; but this it has been deemed inexpedient to comply with, or to submit the prerogative of the Crown in the case, to discussion in the Courts of Common Law. How it will be otherways possible ultimately to decide upon these claims, for a decision cannot be long postponed, they are not aware, unless by some proceeding in Parliamept, either to confirm the Grant without examination, or to provide for its limitation. If the question in this way assumes the shape of expediency and justice, instead of law, the North-West Company have some claims on the consideration of their country, in opposition to those of the Hudson's Bay Company and their Grantee, which even their enemies cannot deny them.

They have, with a spirit of liberality and expence, in many instances unrequited by the result of their undertakings, explored the whole Continent of North America, and ascertained the geographical situation of almost every river and district of those immense regions. They have recently established a considerable and thriving Co-

lony on the Banks of the Columbia River, on the Pacific Ocean, in direct communication with their Settlements in Canada, and are now extending their inland Trade southward to the Spanish Settlements of California, and northward to those of the Russians at New Archangel. They have at this time upwards of 300 Canadians employed in this Trade, between the Rocky Mountains and the sea; and they have dispatched three ships round Cape Horn, with supplies, all of which have taken cargoes of Furs from Columbia, for sale to the Canton market in China.

They refer, without fear of disappointment, to the various Governors, who have been appointed since the conquest of Canada, to that Province, for an account of their conduct as loyal and useful members of its community. In the late war, they may at least say their exertions were useful in its defence: they raised a corps of Voyageurs, of which they served as officers, without pay, and without emolument; and their stores, vessels, and provisions, were always ready at the call of the military or naval commanders, for the public service. The influence of the Fur Traders with the Indians was then duly appreciated, and they had the satisfaction of finding, that when under their controul, there was neither danger of cruelty or excess in the employment of these auxiliaries, in *the defence of the country*. During the war, while the property of private individuals was respected by the enemy, that of the North-West Company enjoyed

the honourable, although to them unfortunate, distinction of confiscation as national property; and they were on all occasions considered by the American Government as identified with that of Canada.

The attempt at colonization made in the Red River, was, in its origin, objectionable in every respect to the Fur Traders, and they do not deny that (except in the protection and assistance they considered it their duty to afford to their suffering countrymen), after having ascertained the real object which the plans of Lord Selkirk were intended to cover, they have done all in their power to render these schemes abortive; nor have they scrupled to represent to the Colonists the hazard to which they subjected themselves. Their conduct in this respect they have no hesitation in acknowledging; they had none in informing Lord Selkirk, at the time his speculation was projected, of their views with respect to it; and they will only be convinced that their conduct has been unjustifiable, when he shall establish his right to eject them from their possessions and trade, by the Grant made to him; and when he shall show by what authority he was entitled to form and establish such a Colony, in defiance of the King's Proclamation of the 7th October, 1763.

The Directors of the Hudson's Bay Company not only disavow all connection with Lord Selkirk, but even a knowledge of his more recent and violent proceedings. They say that he has acted on

his own responsibility, and that they are not concerned in the transactions which have taken place out of their territories. This may be true, but these Gentlemen certainly sent out Agents to engage men, and equip expeditions from Canada the preceding year, and it is understood that a large proportion of the canoe-men who accompanied Lord Selkirk, were their servants. There may have been much rivalry in the Trade of the Interior, but the Canadians no more expected that this Company, whose Charter was granted for a direct Trade to Hudson's Bay, would attempt to carry it on from Montreal, than they could expect that the East India Company should send parties from Canton to rival their establishments on the Columbia. The whole proceeding, however, there can be little doubt, had but one object—to drive the North-West Company from the Trade, and obtain the monopoly of it; and, however sincere Lord Selkirk may originally have been in his plans of colonization, the Colony was subsequently converted into an engine to effect this object, and to expel every Canadian from the Indian Country.

It appears further necessary on the part of the North-West Company, and especially of those who represent their interests in England, that they should acquit themselves of any inattention to those interests, in not having laid before His Majesty's Government every information in their power, and their just claims for the protection of

their persons and property, by the due execution of the laws of their country, as far as this might have been practicable under all the circumstances of the case. The following statement will show they were not supine in this respect.

In February 1814, a Memorial was presented to the Secretary of State for the Colonies, stating the difficulties which the American War had occasioned to the North-West Trade, and that the only manner in which it could be preserved, would be by opening a direct communication with their Posts through Hudson's Bay; and in this Memorial, the decision of His Majesty's Government with respect to the rights of the Hudson's Bay Company, and a definition of the boundaries within which these rights were limited, was earnestly prayed for*. Early in 1815, a Letter was received by the North-West Company from the Under Secretary for the Colonies, inclosing another from the Earl of Selkirk, in which he required the protection of Government for his Colony, against the dangers with which it was threatened by the Indians, *at the instigation of the North-West Company*: to this the reply, dated the 18th March, 1815, was sent, and a copy of this, as well as some other subsequent applications from the representatives of the North-West Company to Government, will be found in the Appendix†. The

* See Appendix, No. XXIII.

† See Appendix, Nos. XXIV. XXV. XXVI, and XXVII.

verbal answers they received to these communications were, that Government would attend to the subject, *which was one of great difficulty*; and the North-West Company can only add to this Statement, their sincere regret, that the evils foretold in all their communications, have so soon followed them.

POSTSCRIPT.

AFTER the preceding Narrative had been sent to the Press, a Pamphlet made its appearance in the circle of Lord Selkirk's friends, entitled "Statement respecting Lord Selkirk's Settlement at Kildonan; its Destruction, in the years 1815 and 1816; and the Massacre of Governor Simpson and his Party."—A little explanation is a requisite, to convert this *candid* Statement into a strong corroborative proof of the general correctness of the details contained in the Narrative, so that as the Author of the Pamphlet has been pleased to continue his account of these transactions.

The publication commences by deploring, that "the plans of colonization prosecuted by His Lordship, have given rise to much and gross misrepresentation;" which no person, after perusing the following remarks on the statements contained in it, will be inclined to doubt.

The first observation which it is necessary to notice, is that made on the Protest entered by several Proprietors of Hudson's Bay Company Stock, against the Grant to Lord Selkirk. There is no difficulty in at once admitting, as far as the admission can be serviceable to his Lordship's case, that the persons connected with the North-West Company, whose names are affixed to the

Protest, became Proprietors of Stock to defeat the designs they were aware, from Sir Alexander Mackenzie's information, were then meditating against their Trade. The Protest, however, as a Protest of Hudson's Bay Proprietors, must stand on its own merits, and it must always be remembered, that it was signed by every person present at the Meeting, except *Lord Selkirk and the Members of the Direction*, and that *the first signatures*, are those of the *two largest holders*, (Lord Selkirk always excepted), *of the Company's Stock*, and who were perfectly unconnected with, and uninfluenced by the wishes or interest of the North-West Company.

To proceed to the more material parts of this "*Statement*," and taking them in order, we find an account of the "plans adopted for the destruction of his Lordship's Colony, at the annual meeting of the North-West Company's Partners at Fort William, in the summer of 1814." The only difference between this account and that of the North-West Company, is, that these plans were adopted by the latter in self-defence; and the *candid* and entire omission of the preceding conduct of his Lordship and his Agents, which rendered such measures expedient, is fortunately supplied in the Narrative, for the information of the public*. It is only necessary to refer to his Lord-

* The North-West Company are little solicitous by what name these plans are called, whether for resistance to the assumed authority and territorial rights of Lord Selkirk, or the Hudson's Bay Company, or for

ship's Letter, "*in safe custody*," of the 18th of June, 1812, the Proclamation of his Governor, of the 8th January, 1814, and the outrages and robberies openly committed by him during the winter, against the persons and the property of the North-West Company, attested by the evidence of Settlers and Servants who were engaged in these affairs, and which appear in the Correspondence between Lord Selkirk and Sir Gordon Drummond, to have been proved to His Excellency's satisfaction.

If these outrages will not justify the violent language ascribed to Mr. Alexander Macdonell in his Letter, and in his determination to defend what Mr. Cameron and he, *considered the rights of the* Canadians in the Interior, they will at least account for it: and in all the subsequent transactions, it will be invariably found, that every violence which it is alledged has been committed by the Canadians, has been occasioned by some previous outrage on the part of Lord Selkirk's followers.

The account which follows, from page 13 to 32, of Mr. Macdonell and Mr. Cameron's conduct in the Interior, in prosecution of the "plans adopted for the destruction of the Colony," bears to some extent the appearance of probability; and it is not impossible, both these Gentlemen had used their influence with the Settlers, to desert a Colony established without Legal Authority, and which was

the destruction of *his Lordship's Colony*; they only protest against the word *Colony*, including the lives and properties of the poor and inoffensive persons engaged in it, whom it has constantly been their earnest desire to aid and protect.

P. 32, Narrative.
P. 25, Narrative.

P. 12, Statement.

evidently intended to ruin their interests and trade. Did the Noble Lord really suppose that these persons would quietly submit to his notice as *Landlord**, to quit the posts they occupied; or, that they should not provide against the *physical means* which were accumulating to enforce that notice, and which they had his own assurance, would be so applied, wherever they were sufficient for the purpose? The case made out by his Lordship against Mr. Cameron†, relieves, to a certain degree, the unfavourable impression of his conduct which existed even on the minds of his connexions, in consequence of reports spread by the Agents of Lord Selkirk and the Hudson's Bay Company. It has before been asserted in the Narrative, that the cannon were *brought* to the Colony by the Settlers, and it now appears that they were so brought in consequence of *orders issued by Mr. Cameron*. This Gentleman is unfortunately unable to answer the charges of his accusers, from their having *illegally* confined and sent him to Hudson's Bay; and these charges are principally grounded on report; but if he is able to give *as satisfactory reasons* for the rest of his conduct, as he assigns in his Letter of the 3d April to Mr. Archibald Macdonald, for having

State-

* See Narrative, p. 34.

† Mr. Cameron was appointed, by a Commission from Sir Geo. Prevost, to the rank of Captain *in the Indian and Conquered Countries, during the war*; but he certainly had no greater right to assume that rank in the Red River, than the Officers of Governor Macdonell's appointment.

authorized the Settlers to take possession of the guns, it will not require much additional justification. These reasons are not mere allegations; *there are sufficient proofs* of the uses to which the artillery had been previously applied.

The arrest of Miles Macdonell and Mr. Spencer, and the hardship of these worthy Gentlemen having been taken 2500 miles to Montreal, where they were not ultimately brought to trial, are circumstances before accounted for; Lord Selkirk, in what he terms an " explanation of the former's conduct," does not deny the truth of the charges brought against them.

His Lordship goes on to give an account of his proceedings in Canada, after his arrival in that Colony. His correspondence with Sir Gordon Drummond will explain itself, and only tends to show, that the *misrepresentations under which he had prevailed upon Government at home to aid and assist his schemes*, could have no influence where proof was at hand to correct these misrepresentations, and to explain the purposes for which he required a military force, asked *ostensibly for the defence of his Colony*. Without intending the least reflection upon any Officers, *whom his Lordship wished to select* for such a service, it is not unjust to suppose, that a man of military habits and unsuspecting disposition, might readily have been converted, by the *very opposite* and designing character of his Lordship, aided by the plau-

sible authority of high legal opinions upon a case *unfairly stated*, into an engine for the prosecution of his schemes against *his rivals in trade*. His ready application of his own military force in aid of his magisterial mandates, at least justifies this inference ; and it is justly remarked by Sir Gordon Drummond, “ that if the lives or property of “ Lord Selkirk’s Settlers are, or may hereafter be “ endangered, that danger will arise principally “ from the conduct of Mr. Miles Macdonell towards “ the North-West Company.” A change of conduct in his Lordship’s Agents, would certainly have been a better defence, than any military force, for his Colony ; and a blind and infatuated determination to persist in those measures which occasioned its first dispersion, it is evident, solely produced its final destruction in 1816.

Until the present publication, the North-West Company had no knowledge of the Correspondence between Lord Selkirk and Sir Gordon Drummond, nor are they aware of the motives which induced His Excellency to refuse his Lordship’s request, beyond *the apparent one* they have suggested. It appears, however, an application made for a guard to protect his person, was readily granted ; and the frank and liberal conduct of the gallant Officer, should at all events have protected him from the sneer cast upon what Lord Selkirk terms his “ legal opinion” of the powers and authority assumed by Mr. Miles Macdonell.

P. 65, *Statement*.

Note, p. 65,
Statement.

Does Lord Selkirk really suppose, upon a *fair statement of the case*, that the eminent persons he refers to, would sanction the claims of power set up by this person, or justify his exercise, and *consequent* abuse of it?

The apology offered for the engagement of the mercenary force who attended his Lordship on his expedition to the Interior, is worthy attention. These were intended (*fit subjects!*), as Farmers and Settlers; and to conceal the fact of their having been supplied with new uniforms, it is stated, that, “as usual on their discharge, they retained their clothing.”

We proceed next to his Lordship's expedition; his account of the unfortunate conflict on the Red River; and his subsequent proceedings at Fort William.

With respect, first, to the melancholy transactions on the Red River; *in the candour which pervades this publication*, as in the account of the transactions of the former year, all mention of *preceding circumstances* is totally omitted; an omission without which his Lordship could not expect his partial and interested representation would succeed, with even the most ignorant or prejudiced reader.

All mention of the plans laid, *not now for the destruction of the Colony*, but for the destruction of the North-West Company's Trade, is studiously avoided: still the intended blockade of the naviga-

49, Narra-
ve; and Ap-
pendix.

tion was prepared: Fort Gibraltar was taken and destroyed, Mr. Cameron made prisoner, and all the property, books, papers, &c. of the North-West Company seized and confiscated on the 17th of March: the Fort on the Pembina River, with all the property, was taken on the 20th March, and Alexander Macdonell's post at *Qu'Appelle*, summoned immediately afterwards. Was it wonderful, that after all these outrages, the latter person should assemble such force as he was able, in *his own defence*, and to preserve and protect the whole returns of the North-West Company from the remote stations, from being taken and confiscated, in the same manner as those at the two Provision Posts? And will any person doubt, from the preceding occurrences, and the subsequent conduct of Lord Selkirk at Fort William, that *precautions were expedient* to prevent his getting possession of a large stake, to hold, even on the most favourable interpretation of his conduct, till his claims were decided? That it was necessary to employ the Half-Breeds and Indians in defence of their property, the North-West Company must lament; and they must long feel the consequences of having been obliged to resort to their assistance; but it is *positively denied*, that there was the most remote intention on the part of Alexander Macdonell, or any Partner of the North-West Company, to place the lives or property of the Colonists at risk, in any attack or retaliation on the Settlement. The account given by Mr. Pritchard, of

the conflict which ensued, is exactly in unison with that in the Narrative; and there are no differences to reconcile in the different statements, which in the least authorize the appellation of *murderers*—given to the parties *actually* engaged in the affray. Mr. Pritchard*, who certainly cannot be accused of any good will towards the North-West Company (as well as all the other witnesses), admits the facts of Mr. Semple having marched out and pursued the Indians; of words having passed with Bouché, in consequence of which Mr. Semple attempted to seize him; and although he does not admit the first firing to have taken place from Semple's party, he will not go the length of the other two witnesses, Bourke and Heden, in positively affirming the contrary. The latter witness is an ignorant person, whose memory seems to have been refreshed by those who had a case to make out from it, and does not seem much relied upon, even by the Author of the Pamphlet, who says, with respect to this person, “that in the confusion of such a business, one might be disposed to doubt in some degree the minute accuracy of the Deponent's information.” Lord Selkirk has somewhere said of the testimony of the Colonists, “seduced to the commission of crime by Cameron,” that it should be received with

* This person had left their service to enter that of Lord Selkirk's: he had charge of the North-West Company's post at Riviere La Sourie, which was plundered by Spencer and Macdonell, as detailed in Nos. VIII. IX. and X. of the Appendix to the Narrative.

great suspicion ; and this caution is particularly requisite in the Affidavit of Bourke, who was at the time under an accusation of felony, and who, next to Colin Robertson, acted the principal part in the attack and robbery of Fort Gibraltar, and the Post on the Pembina River. What has become of the *Deposition of Nolin, mentioned in Mr. Vanderslugs' Journal*, on this subject, and why has it been suppressed ? and the present one substituted in its place ?

It is unfortunate for Lord Selkirk's assertion, that the Indians and Half-Breeds were collected *for an attack on the Colony*, that some of the evidence he produces directly contradicts it, The testimony of Blondeau is distinct, that it was only proposed to bring down the Half-Breeds *for the defence of the North-West Interests and Property*. It is strange, also, if the Colony was in so much danger early in the year, that the danger should have been wilfully increased by the attacks of Robertson and his party on the two Posts : nor does there appear to have been any attempt made by Mr. Semple or Robertson, to come to an amicable understanding with the North-West Partners, which circumstance is inexplicable, if they feared so much danger to the lives of the Colonists.

The conduct of the Half-Breeds and Indians, after the conflict with the Colonists, may be correctly stated, with some little allowance for the colouring given to it in Mr. Pritchard's state-

ment; and there is no doubt of the plunder of the property and destruction of the buildings; but it is denied that Grant was authorized to act generally for the North-West Company; and it is perfectly impossible to believe the wild and vague, although horrid, statements, of Mr. Macdonell and his companions having expressed joy on being informed of Mr. Semple's fate. These assertions invalidate the testimony of the witnesses in other particulars.—That after the open war which had been declared against them by Lord Selkirk's dependants, and the hostilities which had been committed, the dispersion of the Colony was a matter of regret, cannot be supposed: its very existence, and the exercise of the powers claimed by the Governor, of seizing persons and confiscating property under the Charter, must have caused the ruin of their concerns.

The former account of the seizure of the Hudson's Bay Company's Furs, and of their being separately packed and marked when they were sent down to Fort William, is fully corroborated by the additional evidence given in the Appendix.

It is here necessary to refute the unfounded and malicious statement, that Mr. M'Leod, and the Partners with him, "were proceeding with
"the body of Indians and Canadians under their
"orders, in pursuance of a plan concerted with
"Alexander Macdonell, that they should at-
"tack the Settlement from below, while he
"brought down the Half-Breeds and Indians

“for the same purpose from Qu’Appêlé.” It has been before stated in the Narrative, that the first accounts which were received at Fort William from the Interior, only brought intelligence of the capture and destruction of the Provision Posts, and of the probability of an attempt being made to intercept the returns. The Agents had then no communication with Macdonell, the safety of whose Post they also feared; and Mr. M’Leod was dispatched with all the force which could be mustered, and with directions, if necessary, to resort to the additional assistance of the Indians for the defence and security of the property of the Company. He took with him Lieutenants Brumby and Misani, who witnessed his proceedings, and met the Colonists, as mentioned in the Pamphlet. *It appears by that account*, that in his determination to arrest and bring to justice the offenders who aided in the attack and destruction of the Forts, Mr. M’Leod may have, in *distant* imitation of his Noble Rival, somewhat exceeded his authority as a Magistrate.—If his exclamations against Mr. Robertson were incautious and violent, they were at least natural, after the atrocious acts committed by that person.

Mr. M’Leod’s Letter is dated on the 3d of June, long previous to the conflict with Semple, which proves the absurdity of the accusations against the parties arrested, of being implicated in that

event; and if the measures which it was indispensable to have recourse to, on the principle of self-defence, are objectionable, they must recoil on the authors and abettors of the outrages which occasioned them.—The same charge is made against Mr. M^cLeod as against Mr. Macdonell, of having received with high gratification the account of Mr. Semple's death, and with the same semblance of probability.—This Gentleman is also accused, and possibly justly, from the expressions in his Letter, of having given orders to intercept a Courier sent by Lord Selkirk by the route of *Fond du Lac* to the Red River; but no mention is made of the *previous seizure of the Winter Express of the North-West Company*, after the destruction of the Posts.—That Presents may have been made to the Indians and Half-Breeds sent from *Fort des Prairies* to the assistance of Mr. Macdonell, after the destruction of the lower posts, is very natural, even although they may have been engaged in the conflict with Mr. Semple. Whatever may be Lord Selkirk's, or the North-West Company's opinion of the conduct of these people in that affair, his Lordship will probably be aware, that it would be rather dangerous to attempt setting up these opinions in payment of the services which were required of them; another danger, in the employment of such auxiliaries, and another condemnation of the conduct of those, who, by their attack upon the property and persons of the North-West Com-.

pany, rendered an appeal to their assistance necessary.

The early account of these transactions transmitted by the North-West Company to their friends in England, is brought forward *among the proofs* of their being the aggressors in them, because, forsooth, these accounts manifest "*a restless anxiety*" to prove their innocence, before there was any accusation of guilt. The Letter quoted, was written by Mr. Richardson, which is a sufficient assurance to any person who has heard of his name and character, that the information which it conveyed was that which he conscientiously believed, and, as far as he had the power of ascertaining, correct and impartial. In the vague stories which first reached Montreal, of the conflict on the Red River, it was said no person connected with the North-West Company was within 100 miles of the spot; and because this report was repeated in England *before authentic information could be procured*, it is adduced as proof of studied and wilful misrepresentation. The channel through which these Letters came to the knowledge of the Author or Authors of the Pamphlet, should also be attended to: they were sent by the Gentleman to whom they were addressed, *as he received them*, to the Deputy-Governor of the Hudson's Bay Company, with strong expressions of regret as to the melancholy information they contained, and in common courtesy to communicate it to him.

But little detail of the Noble Lord's expedition, and proceedings at Fort William, is given in the Pamphlet; still, there are some material admissions of the motives which induced his Lordship to proceed thither; and although, as matter of curiosity, *his own account* of his subsequent conduct must be interesting, correct information is not wanting on the subject.

To make use of a term applied to Mr. Richardson's expression of feeling, in his account of the occurrences at the Red River, we have the "*canting*" Letter of his Lordship to Sir John Sherbrooke. With no other occasion to go near Fort William, it was still necessary he should proceed there,—an interested party, as a Magistrate, to endeavour to bring offenders to justice, or "*to allow an audacious crime to pass unpunished.*" Was the seat of Government in Upper Canada so far distant from St. Mary's, that no express could be sent to Governor Gore, with information that persons *suspected of murder*, were assembled at a place within his jurisdiction; with a request that an immediate investigation should take place, and that the parties against whom any sufficient suspicion of crime existed, should be apprehended? Or could there be a doubt that Governor Gore would take instant cognizance of the matter, and if he considered such additional precaution necessary, aid the civil force, by the military in *His Majesty's service*, stationed at St. Joseph's?

Of all the proceedings which have given rise to these publications on both sides, the most painful reflection which occurs, is on the manner in which it has been attempted to justify unlawful acts, by the forms of law and authority.—It may be fairly doubted, whether any of the numerous persons in the Interior, whose conduct is implicated in these transactions, was, in respect of information or acquirement, fit to be entrusted with the powers of the Magistrate, and still less at a time, when all parties must have been more or less biassed by a spirit of party and animosity.—That the same feelings have had some effect on the testimony produced, is quite evident. The witness Nolin is made, by the two accounts, to swear opposite stories; and, in the deposition *now brought forward*, he says, a consultation was held between Cameron and his people, to find means of driving

persons of this description, some of whom were then the chief Leaders of the different Tribes of Indians in the Plains, and inherited the names of their Fathers, who had been the principal French Commandants, and Traders of the District.

A Gentleman who was formerly engaged in the Indian Trade, and who was lately in London, informed the Author, that when he first visited the Red River in the year 1784, he was stopped near the Forks by some of these Half-Breed, or *Brulée* Chiefs, who told him that he could only trade in that Country by their permission; and as the price of such permission, they exacted from him Goods to the value of above 400*l*. This Gentleman found at the Upper Red River, Mr. Grant, the father of the Half-Breed Grant mentioned in the Narrative, who had paid a similar tribute for permission to trade; so that it appears the right now claimed by the Half-Breeds, to the possession of the Country, is at least *no novelty*.

away the Settlers at one blow;
 present, but that he had heard
 it from Bosthonois, a half-breed
 months afterwards.

In these, as well as in his general observations on Lord Selkirk's conduct, the Author is sensible he has some apology to make to the Public, for the strong expressions he has sometimes made use of; and he trusts that apology will be found in the feelings which have naturally been excited, by the *false* and *slandrous* accusations against his near relations and friends, and the base and malignant treatment they have experienced from the Noble Lord.—He joins sincerely in the hope with which the Pamphlet concludes, that every measure which the Law can sanction, or the *Executive Power can enforce*, should be strenuously adopted, to bring offenders to justice, and to re-establish public peace; and he has no fear that any influence which the Noble Lord's station or rank might otherwise have given him in the discussions which must ensue, will *now* have weight with those, who may have hitherto entertained favourable impressions of his conduct and character. Until these recent events, the North-West Company had also a very different opinion of the general character and habits of Lord Selkirk: it is true, they always considered his schemes as dictated by a wild and frantic spirit of projection, and dreaded their results, as directly affecting them-

selves, but even in their application to Lord Bathurst, of the 15th March, 1815, they say, “ We
 “ beg to be understood as imputing no improper
 “ motives, in all we have stated, to Lord Selkirk.
 “ Our conviction is, that his Lordship as sin-
 “ cerely, as singularly, believes in the probability
 “ of ultimate success; and all we can expect
 “ from His Majesty’s Government is, that if
 “ they should see it fit to sanction and encourage
 “ his Lordship’s undertaking, they will take
 “ adequate measures to protect the Trade of His
 “ Majesty’s Subjects against the consequences
 “ apprehended from it.”—The North-West Com-
 pany have since, however, discovered much meth-
 od in his Lordship’s conduct, and find they
 have not only to guard against the paroxysms of
 his *colonizing disorder*, but also against the
 studied artifice and design which mark the con-
 spiracies of his more lucid moments.

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APPENDIX.

No. I.

Protest of Proprietors of the Hudson's Bay Company, against the Grant to Lord Selkirk.

*To the Honorable the Governor and Company of Adven-
turers of England, trading in Hudson's Bay.*

*The Memorial of the undersigned Stockholders and
Proprietors in the said Company :*

SHEWETH,

THAT whereas it appears from the Record of the Proceedings of the said Company at their last Meeting, that it is in contemplation to grant to the Right Hon. the Earl of Selkirk, a certain part of the Territory of the said Company, to him and his heirs for ever in fee simple : Your Memorialists have taken the same into their most serious consideration, and availing themselves of the limited period allowed by the adjournment of the said Meeting, submit to your Honorable Body, the grounds and reasons upon which they dissent to any such Grant or alienation of the Company's property.

1st, Because, waiving all the arguments which occur to them, proving the impolicy of the said Grant, there does not appear to be any adequate consideration stipulated for, between the said Company and the said Earl. The land proposed to be granted, comprehends a territory of about seventy thousand superficial miles, containing about forty-

five millions of acres, of that part of the territory which is most valuable, fit for cultivation, and constitutes no inconsiderable portion of the Company's Capital Stock.

2dly, Because, if it be for the benefit of the said Company, (and there is no evidence of sufficient weight to make it clear to the understandings of your Memorialists), to sell so large and valuable a portion of their Territory, the proper mode of doing so for the interest of the Stockholders, is obviously, that which is usually adopted in the faithful execution of all trusts of a similar nature, namely, to expose it to Public Sale, or at least give such notoriety to the transaction, as to admit of competition between individuals who may be inclined to purchase. The necessity of such a mode in the present case, is placed beyond all dispute by the fact, that a more valuable consideration than that proposed by the said Earl, may now be obtained for the property in question.

3dly, Because it does not appear that the said Earl is bound by the condition of the Grant, in a sufficient penalty, to establish such a Settlement as will produce to the Company any substantial benefits, or to exercise such acts of ownership as may be necessary to the ostensible objects of the Company in making the Grant. In all Grants recently made, of lands by the Crown in British America, provision is made for *bona fide* Settlements, not a mere nominal provision to give a colourable pretext for the alienation of public property, but such as to secure the actual residence of one person in proportion to twelve hundred acres. And it has been proved by experience, and is clear to the understanding of your Memorialists, that the foregoing regulation adopted by His Majesty's Government, is highly expedient and wise, and was suggested by the evils which had formerly arisen from the possession of a tract of land by one person, who could seldom, even in the vicinity of a populous country, procure a sufficient number of Settlers to satisfy the creditors of the original Grant. If, with all the facilities afforded by a regular and extensive intercourse with Great Britain, it was found impracticable to induce a very considerable number of persons to migrate, how much more insurmountable must be the difficulty of peopling a region two thousand miles from any sea-port, and out of the reach of all those aids, and comforts which are derived from Civil Society.

4thly, Because, upon a fair and impartial estimation of the future value and importance of the lands proposed to be

granted, and the limited and unproductive consideration to be given by the said Earl, your Memorialists cannot perceive for the said Grant, any other motive than to secure to the posterity of the said Earl, at the expence of the Stockholders of the said Company, an immensely valuable landed estate.

5thly, Because, in the event of a settlement of the said Territory, under the controul of any other power than that of the Company, private traffic would be carried on between the Settlers and the Indians, and clandestinely with Traders from the United States and the Canadas, which no ordinance of the Company would prevent. Besides, it has been found that colonization is at all times unfavourable to the Fur Trade; and it is not very apparent to your Memorialists, that the said Company has full power to exercise a final jurisdiction, since various Acts have been passed in contravention of the powers perhaps intended to be imparted in the Charter, more especially the Act of the 43d of George III. which gives the entire jurisdiction in criminal cases throughout the whole Indian Territory, to His Majesty's Courts of King's Bench, in Upper and Lower Canada.

6thly, Because, under the foregoing circumstances, such a Settlement as that proposed, would, in process of time, erect itself into a distinct interest, adverse to that of the Company, become an asylum for deserters from their service, and eventually render their authority in practice, a mere utility.

7thly, Because, from the situation of the lands proposed to be granted, and their contiguity to the United States, the intercourse will be greater, and the communication more easy between the Frontier Ports of the United States and the Settlement contemplated, than between the said Settlement and Fort Nelson; hence the laws and regulations of the Company will be evaded, and every expectation of revenue defeated in its very principle.

8thly, Because your Memorialists do not perceive, that in making such a Grant according to the terms expressed in the agreement to be entered into, sufficient regard is had to the difficulties in the way of carrying it into effect, or the sacrifices which the Company may be called upon to make. These reasons, and many others, which require more full illustration than the shortness of time between the last and present Meeting would permit, appear to your Memorialists sufficiently cogent to prevent the

Company from making the Grant under consideration, upon such terms as are proposed by the Earl of Selkirk.

London, 30th May, 1811.

(Signed)

WILLIAM THWAITS.

ROBERT WHITHEAD.

JOHN INGLIS.

JOHN FISH*.

EDWARD ELLICE.

ALEX. M'KENZIE.

No. II.

Lord Selkirk's Advertisement and Prospectus of the New Colony.

A TRACT of land, consisting of some millions of acres, and in point of soil and climate, inferior to none of equal extent in British America, is now to be disposed of, and will be sold extremely cheap, on account of its situation, which is remote from the present Establishments. If a tract of the same extent and fertility were offered for sale in Lower Canada or Nova Scotia, purchasers would be eager to obtain it at one hundred, or perhaps two hundred thousand guineas, and at that price would make an ample fortune in the course of some years, by retailing it in small lots at an advanced price to actual Settlers. The land in question, no ways different in advantages, may be purchased for about 10,000*l.* sterling. The title has been submitted to Lawyers of the first eminence in London, and is declared to be unexceptionable; but the situation is such, that the population of the older Settlements cannot be expected, in the natural course of things, to be spread into it for a long period of time; and till that takes place, the disadvantage of its remote situation must be an insuperable objection in the eyes of any unconnected individual who is looking out for lands to establish his family. Hence, the prospect of finding Settlers to purchase the land in small

* John Fish was authorized to vote for John Hambrough, and did so.

lots is remote, and on this account the Proprietors are willing to part with it for so inconsiderable a price. But the obstacles which, to an unconnected adventurer, may be justly deemed insurmountable, may be overcome with ease by the combined efforts of many; and an adequate sum of money judiciously expended in removing the first difficulties of an infant settlement, may place this tract of land in circumstances as advantageous to the Proprietors as if it were in the immediate vicinity of populous colonies. The expences, however, would be too great for an individual: it is therefore proposed to form a Joint Stock Company, in 200 shares of 100*l.* each, so as to raise a sum of 20,000*l.* of which a moiety to be employed in the purchase of the lands in question; the remainder, in those expences which are necessary for bringing Settlers, and thereby rendering the land valuable. To those Settlers, lands will be disposed of, either in the way of sale, or lease in perpetuity, at the option of the Settler, on terms very encouraging to him, and abundantly advantageous to the Proprietors.

As there are serious objections against receiving into the proposed Settlement any Americans of the description of those who are likely to offer themselves, the Settlers must be Emigrants from Europe; and the most feasible plan seems to be, that they should be selected from those parts of the united kingdom which are most overburdened with inhabitants, viz. the Highlands of Scotland, and some parts of Ireland: a small proportion of the Emigrants who now go from these districts to the United States of America, would be more than sufficient for the object in view. Such a change of their destination could injure no part of the kingdom, and would save to the Empire, subjects who would otherwise be entirely lost to their country. To facilitate an object thus equally advantageous to the public, and to the parties concerned, it is proposed, that a preference should be allowed to Subscribers who are personally connected with these districts of the kingdom, and whose local influence may be of service in promoting the desired change in the destination of those who are determined to emigrate. The Settlement is to be formed in a territory where religion is not the ground of any disqualification, an unre-served participation in every privilege will therefore be enjoyed by Protestant and Catholic without distinction; and it is proposed, that in every parochial division, an allotment of land shall be made for the perpetual support of a Clergyman, of that persuasion which the majority of the inhabitants adhere to,

As the lands in question, possess important natural advantages over any which now remain unoccupied in Nova Scotia and the adjacent Colonies, it cannot be deemed unreasonable, if the Settlers in general are charged for their lands at the lowest rate which they would pay in these provinces. On the other hand, they will naturally expect to be conveyed to their land without incurring more expence than if they were to settle in these Maritime Colonies. The Managers of the concern, must therefore undertake to provide conveyance at moderate rates, for the Emigrants who go out under their patronage. The rate of passage money paid on board of other ships bound to America, may be taken as the criterion. These rates being always proportioned to the prices of freight and shipping at the time, no material loss can be apprehended upon the sea voyage; but as the place of Settlement is at a considerable distance from the sea, an extra expence must be incurred for the inland conveyance, which the Emigrants cannot be expected to pay, if they are to be charged for land at the rate of the Maritime Colonies; the expence which may thus fall upon the Proprietors, may be estimated at about 10*l.* for each family of Settlers at an average. This, however, will be amply reimbursed in the price of land: the lowest price of land in the Maritime Colonies, when sold to actual Settlers, and possessing any tolerable advantages of situation, is at the rate of 10*s.* per acre, if sold; or if leased for a perpetuity, 1*s.* per annum; every family of Settlers may be expected to take up at least 100 acres. They are allowed some accommodation of time for the payment, and 100 acres at the above rate, will amount to 50*l.*, a nett advantage of 40*l.*, after reimbursing the charge of bringing in the Settlers. If he should prefer leasing, his rent will in two years repay the charges, and will remain afterwards as a clear income to the Proprietor. As the inland situation of the Settlement will preclude the Settler from some of the sources of profit which are enjoyed in maritime situations, it becomes necessary to provide substitutes. The cultivation of hemp is peculiarly calculated for inland situations, as that article is so valuable in proportion to its weight, that it can bear the expence of a considerable inland navigation. This cultivation is also a favourite national object, and the Settlement will derive benefit from the public encouragement which is held out for promoting it. A still more beneficial object of attention, is the growth of fine wool, an article so valuable, that it would bear any expence of inland conveyance, and one for which the country is peculiarly adapted. In the vi-

cinity of the proposed Settlement, there are ~~in~~ plains without wood, fine dry grass land, much of pable of immediate cultivation, and all well fitted for pasturage, particularly sheep. This is an advantage that no other part of British America possesses by nature; and which the Colonists of the Maritime Provinces cannot obtain without the laborious and expensive operation of clearing. If to this advantage the Proprietors add that of a good breed of Spanish Merino sheep, the Settlers can never meet with any difficulty in paying the price or rent of their land. The fleeces of ten or twelve sheep will pay the rent of 100 acres, and with the produce of a very small flock, the price of a lot of land may be paid off in three or four years. With such advantages, the Settlers must thrive rapidly; and it will soon become apparent to them, that the land is worth a much higher price. At first, however, it cannot be supposed that the common Emigrants will understand, or become capable of appreciating these advantages; on the contrary, it is to be expected that they will be diffident, and afraid of venturing to a new, and (to them) an unknown country; it will therefore be necessary to give some extraordinary encouragement to a few of the first who enter into the plan. From this, and other causes, the commencement of the undertaking must be subject to expences, which will not continue permanently when the Settlement is well established; but, it is only by means of this first outlay, that we can expect to attain the ultimate advantages which are to accrue to the Proprietors. There is no room to believe, that these expences will exceed the sum which is proposed to be raised; but it must be sometime before the Settlers can be numerous enough to pay much either of rent or purchase money; ten or twelve years must therefore elapse, before the profits of the undertaking can be sufficient to afford a dividend to the Proprietors. After that period, the returns may be expected to increase rapidly, and will soon form an ample indemnification to the subscribers, for the loss of interest on the money in the meantime. The amount to which the profits may ultimately arise, seems almost to baffle imagination upon any principle of calculation which can reasonably be adopted; the result comes out so extraordinarily great, that it might appear like exaggeration to state it.

But the difference between buying land at 1*d.* or 2*d.* per acre, and selling at 8*s.* or 10*s.* is very palpable, and does not seem to require much comment. The speculation may not suit those who require an immediate income; but for-

any one who is desirous to provide before-hand for a young family, such an opportunity seldom occurs.

NOTE.

It will appear from the foregoing prospectus, that some very material circumstances, relative to the situation and advantages of the proposed Settlement, are entirely suppressed, and others very artfully misrepresented in such manner, as easily to mislead persons destitute of geographical knowledge.

The advantages of soil and climate are dwelt upon, and exaggerated, while no notice is taken of the important fact, that the proposed Settlement is 2500 miles distant from any settled country in Upper Canada, and the communication practicable only by canoes; so that the Settlers will be completely insulated from the world, and incapable of finding any market for any produce, even if they should succeed in establishing the proposed Settlement.

No. III.

Admeasurement of the Distance and Stations between York Factory and Lord Selkirk's Colony; by David Thompson, Geographer to the North-West Company.

York Factory is in latitude $57^{\circ} 1'$, longitude $92^{\circ} 36' W$. The rivers break up the latter end of May, or beginning of June, but the vast quantities of ice left on the shores, impede the navigation till the middle or latter end of June. The first snow comes frequently about the middle of September, and by the 20th, ice and snow are to be found along the river shores; no canoe, with any hopes of getting to the Red River, can leave York Factory later than from the 1st to the 16th of September. The canoes, or boats, &c., that navigate from York Factory to the Red River, do not go up Nelson's River, but up the river on which the Factory is settled, named Hayes' River.

The rivers and distances are as follows :

	<i>Statute Miles.</i>
<i>Hayes' River</i> ,	52
About eight miles of this, they may be carried up by the tide, all the rest is very strong current, and must be towed up.	
The <i>Main River</i> , comes from the south, or <i>Nipigon</i>	
<i>Steel River</i> , must be towed up,	27
<i>Hill River</i> , to the first fall, very strong current, must be towed up,	32
Ditto, to the head of the river,	30
This distance is a series of shoals, strong rapids, innumerable sunken rocks, and has twelve portages, beside many discharges and landing places.	
<i>Swampy Lake</i> ,	7
<i>Jack Tent River</i> , many rapids, five carrying places,	10
<i>Knee Lake</i> ,	47
<i>Trout River</i> , many rapids, two carrying places, ...	13
<i>Holy Lake</i> ,	30
Rivulets and small lakes, five carrying places,	50
<i>Each-away-Man's Brook</i> ; in dry seasons no water runs in this brook; there are ten beaver-dams kept in repair, and in dry seasons, the canoes, &c. must wait the brook filling up, as at the foot of the dam it is frequently as dry as a barn-floor, ...	28
<i>Hare Lake</i> , this discharges into the <i>Saskatchewan</i>	7
	333
<i>Saskatchewan River</i> , and carrying-place,	35
<i>Play Green Lake</i> ,	14
<i>Lake Trempy</i> , by the east side, which is much the shortest,	300
<i>Red River</i> , to the Forks,	43
<i>Stone Indian River</i> , to the junction of the <i>Moose River</i> , a very shoal and tardy navigation,	220
	945
	Miles,

Moose River lies in { latitude 49° 40'
 { longitude 99° 27' 15" W.
 Junction of the Red and { latitude 49° 53'
 Stone Indian Rivers, { longitude 97° W.

The degree of cold at Moose River junction was,

November	28th, ...	20°	} Below Zero, of Fahrenheit's Thermometer.
	29th, ...	22	
	30th, ...	30	
December	1st, ...	32	

Hence the greatest degree of cold, was 68° below the freezing point. The country is subject to very heavy gales of wind. From York Factory to Red River, 945 miles, in summer, a canoe of men will rarely be able to find five days provisions in all this distance, but must wholly support themselves on what they laid in store; in winter it is much worse. From York Factory to the mouth of the Red River, the country is extremely forbidding, it is one vast range of rocks, and swamps, and morasses, very many small lakes and ponds, with impenetrable dwarf pines, &c. The wretches that should chance to lose their canoe, must certainly perish.

No. IV.

Mr. Bearcroft's Opinion.

Ques. 1st, Whether the King, without the co-operation of the other legislative powers, can grant to any Company an exclusive trade for ever, together with a right of seizing the person and goods of a fellow subject, without legal process; and if not, whether his having illegally granted such advantages and power, does not annul the Charter?

Ans. I am of opinion that the King, without the assent of Parliament, cannot legally grant to any Company, or to any individual, an exclusive trade for ever, together with a right to seize the person and goods of subjects, without process of law; and that such a Grant, if made, is illegal, void, and without effect.

Ques. 2nd, If this Charter is not valid upon the principle above stated, whether it is not voidable by the Company's neglecting to fulfil the views the King had when he granted it?

Ans. If such a Charter could be considered legal and valid in its commencement, yet it will be voidable by *Sci. Fo.* if the Grantees neglect to endeavour, by reasonable and adequate means, to carry the purpose of it into effect.

Ques. 3rd, Whether the grant to them, of the Right of Fishing, is exclusive, or whether the Greenland Fishermen, who have a right to fish at Greenland and the seas adjacent, have not a right to fish at Hudson's Bay?

Ans. The Charter in question, as to so much of it as affects to grant an exclusive trade, and inflict penalties and

forfeitures, being, as I conceive, illegal and void, I am of opinion, that the Greenland Fishermen, who have a right to fish there, have also a right to fish in Hudson's Bay.

Ques. 4th, If an individual invades the Charter, by fishing or trading in any of the places granted to the Company, and they seize his people, ship, or goods, whether they have any, and what remedy?

Ans. If the Hudson's Bay Company, or those acting under their authority, shall venture to seize the person, ship, or goods of a British subject fishing there, the action is by action of trespass against the Company, or against the persons who do the act complained of, which action may be brought in any of the Courts of Westminster Hall.

Ques. 5th, If you should be of opinion, that the Charter is in its present form illegal, which is the best way of attacking it; by invading the patent, and permitting them to seize or bring an action, and complaining or defending, according to the circumstances, or by applying to Parliament?

Ans. It is obvious, that the safest way of attacking the Charter, is by applying to Parliament, or by *Sci. Fu.* though in case of seizure, I cannot help thinking, an action of trespass by the party injured, would be successful.

Ques. And generally to advise the parties proposing the present case, who wish to fish and trade in and near Hudson's Bay (and have sent out a ship which means to winter there, unless cut off by the Company's engines, and only wait for your opinion whether to send several more), for the best?

Ans. Upon the whole of this case, I am strongly inclined to think that the parties interested, if it is an object of importance to them, may venture to carry on the proposed trade immediately. The case of the East India Company and Sandys, determined at such a time, and by such Judges as it was, I cannot take to be law; and as to the length the said Charter has been granted and enjoyed, it is a clear and a well known maxim of law, *that which is not valid in the beginning, cannot become so by lapse of time.*

(Signed)

EDWARD BEARCROFT.

No. V.

Mr. Gibbs' Opinion.

1st, Such a Charter may certainly be good in some cases, but I am of opinion, that the Charter in question was originally void, because it purports to confer on the Company exclusive privileges of trading, which I think the Crown would not grant without the authority of Parliament. In *Sandys against the East India Company*, Skinn. 132, 165, 197, 223, the arguments used against their Charter, which was not then confirmed by Act of Parliament, appear to me decisive upon the subject; and although both *J. Jefferies*, and the other Judges of the King's Bench, decided in favour of the Charter, I have understood that their judgment was afterwards reversed in Parliament.

Adam Smith, in his *Wealth of Nations*, treats it as an admitted point, that the Charter granted to the *Hudson's Bay Company*, and others of the like sort, not being confirmed by Parliament, are void, which I mention not as a legal authority, but only to shew how the question has been generally understood.

2nd, A Charter may be forfeited on this ground.

3rd, I should doubt whether they had by this acquiescence, forfeited their exclusive privilege, if it ever existed; but this question is immaterial after my answer to the first.

4th, If the former were legal, this would be so likewise. I think them both legal, on the ground of my answer to the first query.

5th, Probably they might prosecute the captain; but if this question were material, it would be necessary that I should see a copy or abstract of the Charter, before I could answer it.

6th, He might, if there were any legal cause of prosecution.

7th, I hardly think that they would be held to fall within this act, nor does it signify whether they do or not. If my opinion is well founded, the *North-West Company* may navigate *Hudson's Bay*, and carry on their trade as they please, without any fear of legal molestation, in consequence of the monopoly claimed by the *Hudson's Bay Company* under their Charter, and I think they may act as if no such Charter existed.

(Signed)

V. GIBBS.

Lincoln's Inn, January 7th, 1804.

No. VI.

*In the Matter of the Hudson's Bay Company's Charter, and
their Grant to Lord Selkirk.*

(Copy.)

*Questions, and Opinion of Sir Arthur Pigott, Mr.
Spankie, and Mr. Brougham, January, 1816.*

1st, Whether the exclusive Trade, Territories, Powers and Privileges, granted by the Charter of Charles the Second, confirmed by the expired Act of King William, is a Legal Grant, and such as the Crown was warranted in making; and if it was, whether it entitles the Company to exclude the Canadian Traders from entering their territory to trade with the Indians, and authorizes the Governors and other Officers appointed by the Company to seize and confiscate the goods of the persons so trading, without the licence of the Company?

The prerogative of the Crown to grant an *exclusive trade*, was formerly very much agitated in the great case of "the East India Company *versus* Sandys." The Court of King's Bench, in which Lord Jefferies then presided, held and decided, that such a Grant was Legal. We are not aware that there has since been any decision expressly on this question, in the Courts of Law, and most of the Charters for exclusive trade, and exclusive privileges to Companies or Associations, have, since the Revolution, received such a degree of Legislative sanction, or recognition, as perhaps to preclude the necessity of any judicial decision on it. Much more moderate opinions were, however, entertained concerning the extent of the prerogative, after the Revolution, than prevailed in the latter part of the Reign of Charles the Second, and in the Reign of James the Second; and to those is to be attributed the frequent recourse which, after the Revolution, was had to legislative authority in such cases, and particularly in the very case of this Company, evidenced by the temporary Act of the 2d

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10 State Tr.
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Skinner, 13
197, 223.
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See also 6
Dig. Prerog
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D 1, 4, &c.

of William and Mary, "for confirming to the Governor and Company trading to Hudson's Bay, their Privileges and Trade;" a confirmation, the duration of which, the Legislature expressly limited to seven years, and the end of the then next Session of Parliament, and no longer: and part of the Preamble of that Act is, in effect, a Legislative Declaration of the insufficiency and inadequacy of the Charter for the purposes professed in it, without the aid and authority of the Legislature; which legislative aid and authority entirely ceased soon after the expiration of seven years after that Act passed.

In 1745, indeed, the 18th Geo. II. cap. 17, for granting a reward for the discovery of a North-West Passage through Hudson's Straits, Enacts, "that nothing therein contained, shall any ways extend, or be construed to take away or prejudice any of the Estate, Rights or Privileges of or belonging to the Governor and Company of Adventurers of England, trading into Hudson's Bay;"—but this Provision gives no validity whatever to the Charter, and only leaves its effect and authority as they stood before that Act, and entirely unaffected by it.

These Parliamentary Proceedings may at least justify the inference, that the extent of the Prerogative in this matter was considered as a subject which admitted of great doubt, in times when the independence of the Judges insured a more temperate and impartial consideration of it. They may, however, be perhaps, considered as too equivocal to afford any certain and conclusive authority on the strict question of Law. Such rights, therefore, as the Hudson's Bay Company can derive from the Crown alone, under this extraordinary Charter, such as it is, may not be affected by these Proceedings or Declarations, and they may now rest entirely upon, and stand or fall by, the Common Law Prerogative of the Crown to make such a Grant.

Upon the general question of the right of the Crown to make such a Grant, perhaps it may not be necessary for the present purpose that we should give any opinion. The right of the Crown merely to erect a Company for Trading by Charter, and make a grant of Territory in King Charles the Second's reign, may not be disputable: and, on the other hand, besides that this Charter seems to create, or attempt to create, a Joint Stock Company, and to grant an *exclusive* right of Trading, there are various clauses in the Charter, particularly those empowering the Company to impose Fines and Penalties, to seize or confiscate Goods and Ships, and seize or arrest the persons of interlopers,

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441; Night-
v. Bridges,
3, 135 and
es in Viner
pro admit-
Lord Jeffe-
h. J. in the
India Com-
v. Sandys
pra, p. 519.
clauses

and compel them to give security in 1000*l.* &c. &c. which are altogether illegal, and were always so admitted to be, and among other times, even at the time, when the extent of the Prerogative in this matter was maintained at its height, to grant an *exclusive* right to trade abroad; and even if by virtue of their Charter they could maintain an *exclusive* right to Trade, we are clearly of opinion, that they and their Officers, Agents, or Servants, could not justify any seizure of goods, imposition of fine or penalty, or arrest or imprisonment of the persons of any of His Majesty's subjects. Probably the Company would have some difficulty in finding a legal mode of proceeding against any of those who infringe their alledged *exclusive* rights of Trading, or violate their claimed territory; for we hold it to be clear, that the methods pointed out by the Charter would be illegal, and could not be supported.

seem to be
similar desc
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dered.

But we think that the Hudson's Bay Company and their Grantee, Lord Selkirk, have extended their Territorial Claims much farther than the Charter, or any sound construction of it will warrant. Supposing it free from all the objections to which we apprehend it may, in other respects, be liable, the words of Grant pursuing the recital of the Petition of the Grantees, with a very trifling variation, and with none that can affect the construction of the Instrument, are of "the sole Trade and Commerce of all those seas, straits, bays, rivers, lakes, creeks, and sounds, in whatever latitude they shall be, that lie *WITHIN* the entrance of the straits, commonly called Hudson's Straits, together with the lands and territories *UPON the countries, coasts, and confines of the seas, bays, lakes, rivers, creeks, and sounds aforesaid,*" that is *within* the straits, and these limits are frequently referred to in the subsequent parts of the Charter, and always referred to throughout the Charter, as the "*limits aforesaid.*"

There is indeed (p. 10) an extension of the right of Trade, and His Majesty grants that the Company "shall for ever hereafter have, use, and enjoy not only the whole entire and only liberty of Trade and Traffic, and the whole entire and only liberty, use, and privilege of Trading and Traffic to and from the *territories, limits, and places aforesaid,* but also the whole and entire *Trade and Traffic* to and from all havens, bays, creeks, rivers, lakes, and seas, *into which they may find entrance or passage by water or land, out of the territories, limits, and places aforesaid, and to and with all the natives and people, inhabitants, or which shall inhabit WITHIN the territories, limits, and*

places aforesaid, and to and with all other nations inhabiting any of the *coasts adjacent* to the said territories, *limits*, and places aforesaid, which are not already possessed as aforesaid."

It is plain, therefore, that the Territorial Grant was not intended to comprehend *all* the lands and territories that might be approached *through Hudson's Straits* by land or water. The Territorial Grant then appears to be limited by the relation and proximity of the territories to Hudson's Straits. The general description applying to the whole, is the seas, &c. that lie *WITHIN* Hudson's Straits, and the land, &c. *upon the countries, coasts, and confines* of the seas, &c. that is, *reddendo singula singulis*, the lands *upon* the countries, coasts, and confines of each of the seas, rivers, &c. naturally including such a portion of territory as might be reasonably necessary for the objects in view; but it is not a Grant of all the lands and territories in which the seas, rivers, &c. lie, or are situated, or which surround them to any indefinite extent or distance from them. Still less is it a Grant of all the lands and territories lying between the seas, straits, rivers, &c. though many hundred or thousand miles or leagues of lands and territories might lie between one sea, strait, river, lake, &c. and another sea, strait, river, lake, &c. and though the quantity of land comprized in this interior situation, and far distant from any coast or confine of the specified waters, might exceed in dimensions the extent of many existing powerful kingdoms or states. *Within* the straits, must mean such a proximity to the straits, as would give the lands spoken of, a sort of affinity or relation to Hudson's Straits, and not such lands, as from their immense distance (in this case the nearest point to Hudson's Bay being 700 miles, and from thence extending to a distance of 1500 miles from it), have no such geographical affinity or relation to the straits, but which are not even approached by the Canadians through, or by the straits in question. The whole Grant contemplates the straits as the access to the lands and territories therein referred to; and as there is no boundary specified, except by the description of the coasts and confines of the places mentioned, that is, the coasts and confines of the seas, &c. within the straits, such a boundary must be implied as is consistent with that view, and with the professed objects of a Trading Company intending, not to found kingdoms and establish states, but to carry on fisheries in those waters, and to trade and traffic for the acquisition of *skins and peltries*, and the

other articles mentioned in the Charter ; and in such a long tract of time as nearly 150 years now elapsed since the Grant of the Charter, it must now be, and must indeed long since have been, fully ascertained by the actual occupation of the Hudson's Bay Company, what portion or portions of lands and territories in the vicinity, and on the coasts and confines of the waters mentioned and described as within the straits, they have found necessary for their purposes, and for forts, factories, towns, villages, settlements, or such other establishments in such vicinity, and on such coasts and confines, as pertain and belong to a Company instituted for the purposes mentioned in their Charter, and necessary, useful, or convenient to them within the prescribed limits for the prosecution of those purposes. The enormous extensions of land and territory now claimed, appears therefore to us, not to be warranted by any sound construction of the Charter ; and if it could be so, we do not know where the land and territory of the Hudson's Bay Company, granted by this Charter, terminates, nor what are the parts of that vast Continent on which they have taken upon them to grant 116,000 miles of territory, exempted from their proprietorship under their Charter.

Indeed there may be sufficient reason to suppose that the territories in question, or part of them, had been then visited, traded in, and in a certain degree occupied by the French Settlers, or Traders in Canada, and their Beaver Company erected in 1630, whose trade in Peltries was considerable prior to the date of the Charter. These territories therefore would be expressly excepted out of the Grant ; and the right of British Subjects in general to visit and trade in these regions, would follow the national rights acquired by the King, by the conquest and cession of Canada, and as enjoyed by the French Canadians, previous to that conquest and cession.

No territorial right therefore can be claimed in the districts in question ; and the *exclusive* trade there cannot be set up by virtue of the Charter, these districts being remote from any geographical relation to Hudson's Bay, and to the straits, and not being in any sense *within the straits*, and not being approached by the Canadian Traders, or other alledged interlopers, through the interdicted regions ; of course no violence to, or interruption of trade could be justified there, under these territorial claims.

2nd, Whether the Hudson's Bay Company were warranted in making a Grant to Lord Selkirk, as one of

their own body, of the immense district of Territory described in Governor M'Donell's Proclamation; notwithstanding the opposition of part of the Proprietors of Stock? And after making such Grant, has the Company any right to exercise their jurisdiction, in appointing Governors, and other Officers over that District; or can they grant or transfer such power to his Lordship? If you should be of opinion that the Grant to his Lordship is illegal, or unwarranted by the Charter, what measures ought to be taken to set aside the same?

The validity of the Grant to Lord Selkirk may be considered, both as it affects the Members of the Company, and the Public at large.

If, contrary to our opinion, the land and territory in question were within the Grant, then the Grant of so large a portion of territory as that to Lord Selkirk, being not less than 116,000 square miles, might perhaps seem an abuse of the Charter, which might justify the interference of the Crown. Because, though the Company might have a right to make Grants of land, such Grants must be for the promotion of, or at least must be consistent with, the object of the Institution. But the Grant to Lord Selkirk, tends to an establishment, independent of the Company, inconsistent with the purposes of their Institution, and its effect; erecting a sub-monopoly in one person, to the detriment both of the Company and of the Public. The Company could confer no power upon Lord Selkirk, to appoint Governors, Courts of Justice, or exercise any independent authority; nor could they directly or indirectly transfer their authority to him, to be exercised by him in his own name. Supposing the Grant of Land to be such a Grant as falls within the powers of the Company to make, their superior Lordship and authority would continue as before, and must be exercised through them.

3rd, Whether the jurisdiction given by the Act of 43rd Geo. III. to the Canadian Courts of Criminal Judicature, extends to the Territories of the Hudson's Bay Company, so as to entitle those Courts to try and punish offences committed within those territories? And whether Governor M'Donell, and Mr. Spencer his Sheriff, can legally be tried before the Canadian Courts, for the offences with which they now stand charged?

There seems no reason to doubt that offences actually

committed in the territories and districts in dispute, where no Court of Judicature is or ever has been established, might, in point of jurisdiction, legally be tried by the Courts of Canada, under the 43rd Geo. III. cap. 138; and indeed, unless this district was within the provisions of that Act, we cannot discover what territory was meant to be included in it; but we think, that though the jurisdiction might be capable of being supported, the acts done by Messrs. M'Donell and Spencer could not be deemed larceny, and that they, or others acting in similar circumstances, ought not to be indicted or brought to a trial for the crime of larceny. They acted perhaps erroneously, upon a claim of territorial dominion, and of exclusive commercial privilege, and may be liable to be proceeded against as for a trespass or other injury to persons or property; but we think they could not be properly convicted on a charge of felony.

4th, Is it competent to the Governors, and other Officers already appointed, or that may be appointed by the Hudson's Bay Company, to seize and bring to trial before their Courts of Judicature; His Majesty's Canadian Subjects who may be found trading within the Company's Territories, for infringing the Company's monopoly, or for committing any other alledged crime or offence?

Supposing the Charter of the Company valid, and the districts in dispute to be within their limits, we should still doubt whether the Governor and Company have lawful power by the Charter, to establish Courts for the trial by the Laws of England, of offences committed therein. That power the Company have never yet attempted to exercise, though nearly 150 years have elapsed since they procured their Charter. But if they should still possess this extraordinary power without further authority, legislative or regal, we should nevertheless think that no Courts there established, would have authority to try and punish as an offence, *the act of going there* simply; which, if the Grant be legal, could amount at the most only to a misdemeanor, or contempt of the King's lawful authority, to be prosecuted at the suit of His Majesty. But the Charter itself seems to take the offence, as far as the Company are concerned, out of the jurisdiction of the local Courts, by (illegally indeed) prescribing certain forfeitures, and declaring, page 12, "that every the said offenders, for their said contempt, to suffer such punishment as to us, our heirs and successors,

shall seem meet or convenient, and not to be in amprize (query, mainprize?) delivered until they and every of them shall become bound unto the said Governor for the time being, in the sum of 1000*l.* at least, at no time thereafter to trade, &c." A subsequent Clause (p. 16) authorizes the seizing and sending to England, those who come into their territories without authority. It seems, therefore, that the Courts in question, would have no power to try as an offence at Common Law, the mere coming into the Company's territories, contrary to the prohibition in the Letters Patent, which point out other modes of proceeding, and legally confer no other powers applicable to the Case.

If the question were merely a question of Boundary between two acknowledged adjacent Colonies or Provinces, it might perhaps be determined by the King in Council, where we apprehend such a jurisdiction is vested, and has been exercised, but that probably would not set at rest the principal points, or prevent interference. The validity of the Grant of an *exclusive* trade might, we apprehend, be tried directly by *scire facias*, or incidentally in actions of trespass, which, however, might still leave other main points undecided; and the Company might perhaps be capable of retaining some part of what has been granted to them, and might fail as to many others. In these circumstances it appears, that interests and pretensions so opposite, and which may be productive of so much confusion and disorder, and of consequences so dangerous and destructive to the persons and properties of those who, by reason of the failure of the ordinary means of protection afforded by the law, may be said to be peculiarly under the safeguard of Government, can only be effectually and satisfactorily adjusted and reconciled by Government, with the aid and authority of Parliament; and by that authority, (after causing such an investigation into them, as Government would, in such a case, probably feel it indispensable to make, and are fully possessed by the Law Officers of the Crown, and otherways, of all the means of making) due allowance would be made for such rights of the Company, as were deemed legal and well founded, and protection and freedom secured to the Canadians as well as to the rest of the King's Subjects, in the prosecution of that commerce, which the Canadians have long enjoyed, and which the rest of the King's Subjects have frequently, and whenever they have thought proper, carried on, and which, it is stated to us, they have never been hitherto attempted to be interrupted in by the Hudson's Bay Company.

No. VII.

Affidavit by George Campbell.

GEORGE CAMPBELL, late of Scotland, in the parish of Creich, and county of Sutherland, deposeth, That in the Year of Our Lord One Thousand Eight Hundred and Thirteen, hearing that Lord Selkirk was establishing a Colony in the North-West Country of Canada, and understanding that William M'Donald, one of Lord Selkirk's Agents, had arrived at Brora, (a small village in the county of Sutherland), for the purpose of engaging individuals to settle in said North-West Country of Canada, went to inquire into the particulars of the agreement.

That on his arrival at said village of Brora, he went to the lodgings of William M'Donald, and after breaking the subject to him, was informed by said William M'Donald, that on his arrival at Red River, in said North-West Country of Canada, upon paying the sum of five shillings sterling per acre, he would be put in immediate possession of as much land as he should require.

That any one of the Settlers who could not pay the stated sum of five shillings sterling per acre, would be furnished with the like quantity for the rent of one bushel of wheat per acre per annum, or until payment at the rate aforesaid should be made.

That upon being put in possession of said land, he was to receive all implements of husbandry, live stock, &c. necessary to equip a husbandman, without exception.

That upon being thus informed, he took his leave of said William M'Donald, (without giving him any decisive answer), and returned to his home in the parish and county aforesaid, where he was in about a week after visited by said William M'Donald.

That upon conversing some time with him, he signed a paper, to which were prefixed the names of those already engaged.

That upon signing this paper, he conceives, but cannot assert it as a fact, that he paid said William M'Donald two shillings sterling, but is positive that others who signed it, actually did pay two shillings sterling.

That William M'Donald having collected a few signa-

tures, he took his departure and returned to Brora, previously telling him (this Deponent) that he would be apprized of his Lordship's arrival in Scotland.

That some time after these transactions, (he cannot be *exact in the period*), he was informed that Lord Selkirk had *arrived in Sutherlandshire*, and with a view to meet his Lordship, went to Helmsdale, parish of Loth, and county of Sutherland.

That on his way to said village, he met his Lordship and Agent, Mr. M'Lellan, near a public-house, on their way to Donald M'Kay's, in the parish of Kleyne, county aforesaid.

That his Lordship having opened the door of his carriage, spoke to him (this Deponent) on the subject of the agreement ne had formed with William M'Donald: his Lordship desired him to accompany them to Donald M'Kay's, in the parish of Kleyne.

That in their route they stopt at Mr. Ross's dwelling-house, where, leaving the coach, his Lordship proceeded on horseback.

That, on their arrival at Donald M'Kay's, they found a number of persons there on business of the same nature.

That his Lordship, having dined, convened those who were present, corroborating in every respect the proposals of Mr. William M'Donald, and shaking hands very cordially with almost all those who were assembled.

That he (this Deponent) remained at Donald M'Kay's about three hours, when his Lordship desired him to go, and prepare himself for the voyage, giving him twenty days to arrange his affairs; which he did, telling his Lordship that he would return to Helmsdale at the time appointed.

That having settled his family concerns, &c. he returned to Helmsdale, and there learned that his Lordship had gone to Stromness.

That having staid two days at Helmsdale, he, in company with William M'Donald, (who had lodged with him during their stay at Helmsdale), proceeded to Stromness in a schooner, where they arrived in two days from the time of their embarkation.

That in Stromness he hired lodgings, and William M'Donald lodged with him; that he saw his Lordship here (Stromness), and paid into his hands the sum of thirty guineas, for his wife and child's passage, also his own; for which payment he received a Note from his Lordship, and which he has now in possession.

That he also deposited in his Lordship's hands the sum of forty-two pounds sterling, (for which he also received his Lordship's Note), as payment of a tract of land ; his Lordship at the same time telling, that should he not like the land, he had his (Lord Selkirk's) full permission to go elsewhere.

That he remained fourteen days at Stromness, (during which time no conversation of importance passed between his Lordship and him), when he and others, under the same circumstances, embarked on board the Prince of Wales (merchant ship).

That his Lordship came on board the Prince of Wales, and told him and others, that it would be necessary for some of them to keep watch in their turn, to prevent sickness, which might occur from being crowded below.

That, previous to his leaving Stromness, his Lordship had told him to carry a gun with him, as he would require one to defend himself from any attack made by his enemies.

That he cannot state the time when the Prince of Wales left Stromness ; but states, that said Ship arrived at Churchill Cove, in the season autumn Eighteen Hundred and Thirteen.

That on his landing at the Cove, he was very ill provided for, being under the necessity of laying under old sails, and his provisions at the same time exceedingly bad ; and he firmly believes it to be the effect of ill treatment, that a number of the Colonists died.

That his Lordship had desired him (this Deponent) to bring neither money, clothes, or any other articles necessary, for that he could procure them as cheap at Red River as in Sutherlandshire.

That on his arrival at Churchill, he found that nothing could be purchased but with ready cash, and at so great a price, that he was surprized ; he having paid for one pound of tobacco, five shillings and sixpence sterling.

That, instead of the allowance of English provisions, such as labouring men are accustomed to receive in Great Britain, and which Lord Selkirk had said should be allowed him, Mr. Archibald M'Donald, one of his Lordship's Agents, who was present at the time when this promise was made, issued one pound of oatmeal and half a partridge per day, to each man, (with the same allowance for a woman and two children), together with eight pounds molasses, and eight pounds damaged pease, for every mess of twelve men per week.

That upon demonstrating to Archibald M'Donald, that such was not the kind of provisions promised by his Lordship in his (Archibald M'Donald's) presence, Archibald M'Donald answered him, that he ought to be content with what he got, as it was good enough for him. The Deponent also states, that the English provisions which had accompanied them, were taken from them (the Colonists), and issued to the Hudson's Bay Company's Servants; and *states that*, to procure the scanty pittance of half a partridge per day, they were under the necessity of travelling fifteen miles, to draw it on sleighs; that if they (the Colonists) refused to comply, their provisions were immediately stopt.

That on his route from Churchill to Red River, they laboured in the same manner as the Servants of the Hudson's Bay Company, and without recompense.

That on their (the Colonists') arrival at Red River, one hundred acres of land was given to each Settler, and that he and five or six Settlers, were furnished with horses.

That he received no impliments of husbandry or live stock, and all the kitchen furniture he could procure, was an old frying pan, and a small copper kettle.

That the provisions issued to them at Red River were very indifferent, such as pemican and cat fish; no salt could be procured.

That Miles M'Donell assembled the Settlers at his dwelling-house, in Red River Settlement, and calling him (this Deponent), Angus M'Kay, and John Mathuson to his room, desired them to tell the Settlers that arms would be furnished them for their defence.

That he went out and spoke to the Settlers on the subject, and which measure they all adopted, but two would not.

That upon this, they were formed into a line at the end of Mr. Miles M'Donell's house, where they were treated to a glass of spirits per man, Miles M'Donell at the same time telling him, that the laws of this Country (meaning Red River) were, the stronger parties dictating to the weaker. After this harangue, each man was furnished with a gun and ammunition.

That finding his treatment the reverse to what he was led to expect from Lord Selkirk's representations, and for the reasons specified in this Deposition, he judged it expedient to return to Canada, and for that purpose requested a passage from Red River, from Mr. D. Cameron (a

Proprietor in the North West Company), which was granted.

And farther this Deponent says not.

St. Mary Two Falls, 19th August, 1815.

(Signed) GEORGE CAMPBELL.

Sworn before me, one of His Majesty's Justices of the Peace for the Indian Territories,

(Signed) JOHN JOHNSTON.

No. VIII.

James Toomy's Affidavit.

PERSONALLY came and appeared before me, Archibald Norman Macleod, Esq. one of the Justices of our Lord the King, duly appointed for the Indian Territory—James Toomy, a native of Ireland, now at Montreal; deposeth and saith, that in the month of June, in the Year One Thousand Eight Hundred and Eleven, he was engaged to the Hudson's Bay Company for three years; that in the spring of the year One Thousand Eight Hundred and Fourteen, he was at the Red River, in the said Indian Territory; that early in the said spring, on or about the 15th of March, he this Deponent, and several other servants of the Hudson's Bay Company, were ordered by Captain Miles Macdonell, to prepare themselves to go off next morning to the Plains, in search of provisions, to the tents of the Freeman, and that he, Captain Miles Macdonell, would follow them; that he the said Captain Miles Macdonell addressed himself chiefly to this Deponent on this occasion; that the following morning, he this Deponent, and several other servants of the Hudson's Bay Company, to the number of fourteen or fifteen, received arms and ammunition from one Mr. Spencer, and proceeded under the command of one Mr. Warren, to the tents of some Freeman, one Charles Hesse and others, near Turtle River; that the second or third night, he this Deponent and party aforesaid slept in the tents of the said Freeman; that he this Deponent and party found one Michael Macdonell (one of the Clerks of the said Hudson's Bay Company) at the Freeman's tents;

that he this Deponent found there also the servants of the North-West Company, named Jean Baptiste Desmarrais, and two or three others, whose names this Deponent does not recollect; that the next morning this Deponent was present, when the said Jean Baptiste Desmarrais and the other servants of the North-West Company received from the said Freeman a quantity of provisions, consisting of beat meat*, and tallow, as well as fresh meat, with which the said Jean Baptiste Desmarrais loaded two or three trains† (being more than one-horse load), and the said Desmarrais and party proceeded with the said trains so loaded, towards the North-West Company's Forts at Turtle River; that the said Mr. Warren and the said Michael Macdonell, immediately ordered this Deponent and the other servants of the Hudson's Bay Company, to fall in rank and files, to load their muskets with powder and ball, and to screw on their bayonets, and put themselves in array to force the said Jean Baptiste Desmarrais and others, the servants of the North-West Company aforesaid, to give up to him this Deponent, and the said Mr. Warren and Michael Macdonell and party aforesaid, the said provisions then in the possession of the said Jean Baptiste Desmarrais, and the other servants of the North-West Company; that the said Jean Baptiste Desmarrais and his party, not finding themselves strong enough to oppose the said Mr. Warren and the said Michael Macdonell, they took the said provisions from the said Desmarrais in the presence of this Deponent; that the said Michael Macdonell ordered this Deponent to go and meet the said Captain Miles Macdonell, and inform him of what had just passed between the said Michael Macdonell and the said servants of the North-West Company; that is to say, to "tell Captain Miles Macdonell, that he, Michael Macdonell, had succeeded in taking the provisions from the servants of the North-West Company by force;" that this Deponent did impart this message to Captain Miles Macdonell, who replied, "it was all very well;" and he the said Captain Miles Macdonell then ordered this Deponent to return to where the said Mr. Michael Macdonell had taken possession of the said North-West Company's provisions, to tell the said Michael Macdonell to keep possession of the said provisions until he, the said Captain Miles Macdonell, should arrive there himself; that this Deponent then did return, according to

* The Buffalo-meat is prepared by being *beat*, or *pounded*, with tallow.

† The trains, are sledges drawn on the snow by dogs, and sometimes by men.

orders, and imparted the said last-mentioned message to the said Michael Macdonell; that this Deponent accompanied the said Michael Macdonell from Fort William, on the said Indian Territory, to this place; that the said Michael Macdonell is now in Montreal.

(Signed) his
JAMES X TOOMY.
Mark.

Sworn before me, at Montreal,
this 20th September, 1815,

(Signed) A. N. MACLEOD,
J. P. I. T.

No. IX.

James Pinkman's Affidavit.

PERSONALLY came and appeared before me, Archibald Norman Macleod, one of His Majesty's Justices duly appointed for the Indian Territory—James Pinkman, a native of Ireland, now at Montreal, who being duly sworn, deposeth and saith, that on or about the twenty-ninth day of May, Eighteen Hundred and Fourteen, at the Forks of the Red River, he was ordered by Mr. John Spencer to arm himself, and to be in readiness to proceed to Portage La Prairie, about two days' journey up the Assiniboine River; that on the following day he, with two others, under the immediate orders of John Spencer, went to the said Portage La Prairie, where they remained a few hours to refresh, after which they proceeded to Brandon House, on the banks of the River La Sourie, where they arrived on the third morning succeeding that of their departure from the Forks; that on their arrival at the said house, he, Mr. John Spencer, went to the North-West Fort at that place, making a demand for provisions; that to the best of his knowledge and recollection, one of those two men who accompanied him from the Forks of the Red River, went with him, Mr. John Spencer, to the said North-West Company's Fort; that he cannot pretend to any knowledge of what passed between the person in charge of the Fort and Mr. John Spencer, but states, that a letter was written by John Spencer, and sent by one of his men to Miles Macdonell; that he supposed the letter was relative to the provisions, but is

not positive; that during five days that the messenger was absent, they remained inactive; that on the fifth day the messenger stated, arrived with an answer from Miles Macdonell, to this effect: "that Mr. John Spencer should force his way;"—That on the afternoon of the same day Mr. John Spencer ordered him, with the aforementioned two men, to embark and cross the river, which was effected, Mr. Howes, of the Hudson's Bay Company, having accompanied them, by landing before the gates of the Fort; that Mr. John Spencer remarked while in the boat, that his orders were to take the provisions by force; that on their arrival at the gates of the Fort, which were shut, Mr. John Spencer demanded, in the King's name, that the provisions, or pemican, grease, &c. then in the Fort, should be delivered to him; that on which, Mr. Pritchard, the person in charge of said provisions, &c. desired he, Mr. Spencer, would wait a few minutes: Mr. Pritchard returned with a small note, which he pushed through the stockades to Mr. John Spencer; that on Mr. John Spencer's reading the note, he turned round and said, "that will not do;" to which Mr. Pritchard replied, "then you must force your way, as I will not open the gates;" that he and the other two men were then ordered by John Spencer to cut down the stockades, and take the said provisions, and by force of arms, which they did; to effect also which, the iron staples of the store were drawn, to open the door, and John Spencer took all the provisions belonging to the North-West Company, in the house and store so broke open, viz. five hundred bags of pemican, about ninety-six kegs of grease, and about nine bales of dried meat; that this Deponent objected to breaking open the house, and to be aiding in taking the provisions, to which the said John Spencer replied, he must obey his orders; that these provisions, &c. being taken in the manner stated, were conveyed across the river to the Hudson's Bay Company's Fort, and there deposited, except two batteaux loads, which were by the said Spencer taken down to the Forks, and delivered to Miles Macdonell.

(Signed) JAMES PINKMAN.

Sworn this 13th day of September,
1815, at Montreal, before me,

(Signed) A. N. MACLEOD,
J. P.



No. X.

Hugh Swords' Affidavit.

PERSONALLY came and appeared before me, Archibald Norman Macleod, one of His Majesty's Justices duly appointed for the Indian Territory—Hugh Swords, a native of Ireland, now at Montreal, deposeth and saith, that in June, 1812, he was engaged to the Hudson's Bay Company for three years; that in the spring of the year 1814, he was at the Red River; that this Deponent and several other servants of the Hudson's Bay Company were sent for to the house of Miles M'Donell; that Miles M'Donell then told him, that he this Deponent and the other men, to the number of eight or nine, were to proceed up the River, under the command of one John Warren, and keep a strict watch of any boat or boats of the North-West Company, with provisions, if they should come down the river; and if any did come down, that they were to take such boat and boats, and the provisions, by surprize or force, and that Mr. Warren would command them; that this Deponent and the other servants of the Hudson's Bay Company were furnished with arms and ammunition, that is to say, muskets and bayonets, and ball-cartridges, out of the store of Miles M'Donell; and Miles M'Donell also told this Deponent and the other servants, that they were to obey the orders of Mr. Spencer. Being so armed, this Deponent and the other men proceeded up the River Assiniboine, under the command of Mr. Warren; that they travelled along the River until dark, and then camped; that that day they saw no appearance of a boat or provisions. The next morning Miles M'Donell joined them with a *field-piece*, and a number of men armed with muskets, where they had camped; that Miles M'Donell then placed the *field-piece* in a position, on a point so as to command the passage of the river, and prevent any boats from going down; that when they were all assembled they formed a pretty large party of men; that this Deponent was ordered into a boat with eight or nine other men, under the command of Mr. Spencer, to go up the river to see if there was any appearance of the boat with the provisions coming down; that they went a few miles up the river, and returned to the point where the camp and cannon

were, without having seen any thing of the boat ; that that evening, this Deponent and all the other men returned to the Fort, where Miles M'Donell lived ; that the next day eight or nine men, of which this Deponent was one, were ordered by Miles M'Donell to arm themselves with muskets and ball-cartridges, which they did, and were ordered again in a boat up the river, under the command of Mr. John Spencer, in search of the North-West Company's boat and provisions ; that they went up the River two days' journey ; that they found a boat, which they knew to be a boat belonging to the North-West Company, in a small Bay ; that there were no provisions in the boat, and that it had apparently drifted there ; and finding no provisions in the boat, Mr. Spencer ordered the men to search in different parts of the beach, and points of wood, to see where the provisions had been deposited ; that they looked in many places and points, and could not find it, and returned where they left their boat ; that that same evening they went up *the river by land, and travelled until they came to a lodge, or hut, where they found three Canadians (one Poitras and his son, and the other he does not recollect his name perfectly, but believes it was one Soucisse) ; that by orders of Mr. Spencer, they took the three Canadians prisoners, and took them down where the boat was ; that next morning Mr. Spencer, this Deponent, and the other men, embarked in the boat with the said three Canadian prisoners, and returned to Miles M'Donell, and delivered the said Canadian prisoners over to Mr. M'Donell ; that he took them into his own apartments : what passed there this Deponent cannot say ; towards evening the said Canadians were let at liberty, and they went down and slept in the tents of some Freemen that were encamped on the water side ; that next morning this Deponent and another man was ordered to go with the said John Spencer on horseback up to Poitras' Lodge, where they had been taken prisoners, and that Poitras would shew them where the provisions were, as this Deponent understood ; that they all rode up to Poitras' Lodge, and Poitras pointed out to them, on the other side of the river, the place where the North-West Company's servants had deposited their provisions ; that this Deponent the other man, and the said Mr. Spencer, crossed in a wooden canoe, and went to the place pointed out by Poitras, and there found the provisions deposited ; that the provisions were carefully and securely placed upon wood, and well covered with a leather tent, to prevent them from being injured by the rain or weather ; that that night, the*

said John Spencer, this Deponent, and the other man, slept alongside of the provisions, to guard them, or prevent *their* being removed; that the next day a boat with eight or nine men came up from Miles M'Donell's Fort, to take down the said provisions; that when the boat came up, this Deponent and the other man took off the covering of the provisions, and found them to be sacks of pemican in good order; that they were recognized to be the provisions belonging to the North-West Company; and that the said provisions consisted of 96 or 97 leather bags of pemican, weighing each about 90 pounds; that is, dried meat and grease pounded together; that the pemican is considered the best provisions for carrying on the trade; it will keep for several years, and is obtained at a very considerable expence and trouble, and considered absolutely necessary for bringing the traders and their men out of the Indian Country, until they can get supplied with other kinds of provisions; that this Deponent and the other men, by the direction of the said John Spencer, took the said provisions from the place where they were so deposited, and put them on board the last-mentioned boat, and conducted it down the river to the Fort of the said Miles M'Donell, and deposited the said provisions in his store; that he cannot say for what reasons the said provisions were taken, for there was no want of provisions in Miles M'Donell's Fort at the time, especially as the fishing season had commenced.

(Signed) his
HUGH X SWORDS.
Mark.

Sworn before me, at Montreal,
this 13th day of September,
1815,

(Signed) A. N. MACLEOD,
J. P.

No. XI.

James Golden's Affidavit.

PERSONALLY came and appeared before me, Archibald Norman Macleod, Esquire, one of the Justices of our Lord the King, duly appointed for the Indian Territory—James Golden, late of Ireland, County of Sligo, now at Montreal, and deposeth and saith, That in the Year One Thousand Eight Hundred and Fourteen, he was commanded to take arms and join the rest of the Settlers, Colonists and Servants of the Hudson's Bay Company (by Holdsworth, one of Miles M'Donell's servants), which orders were rejected by him this Deponent, with this remark, that he (this Deponent) would not enter upon such a business, or act in any such manner, but in event of Miles M'Donell's leading the said party in person; that upon this reply, Holdsworth went back, and remaining some time absent, returned to said Deponent, telling him to take arms and join the said party, which orders this Deponent complied with; that having been furnished with arms and ammunition, this Deponent loaded his piece ready for action; that from Miles M'Donell's dwelling house, said party of Settlers, Colonists and Servants of the Hudson's Bay Company, were commanded and led by said Miles M'Donell and his inferior Officers, to assume a station on the banks of the river, to wait and intercept the craft belonging to the North-West Company, then on their way down Red River (or in other words, the Assiniboine River), with provisions; that to the best of his recollection, the said party consisted on this day, of twenty-five or twenty-six men, well armed and equipt, and one brass field-piece; that he this Deponent had orders from the inferior officers to act in like manner with said party, or after the same form of procedure, in compelling the craft of the North-West Company to land; that the first winter this Deponent and his companions wintered at the Red River, they were assisted by the servants of the North-West Company with provisions, by means whereof many persons belonging to the Hudson's Bay Company and the Colony at Red River, were kept from starving. In consequence of the North-West Company having assisted this Deponent and his comrades with provisions when starving, was this Deponent's chief reason why he refused to

take up arms to take provisions by force, from the persons who had so assisted them ; besides, this Deponent did not wish to enter into a proceeding that he thought illegal and violent.

(Signed) his
JAMES X GOLDEN.
Mark.

Sworn before me, this 20th
day of September, 1815, at
Montreal,

(Signed) A. N. MACLEOD,
J. P. I. T.

No. XII.

William Wallace's Affidavit.

PERSONALLY came and appeared before me, Archibald Norman Macleod, Esquire, one of the Justices of our Lord the King, duly appointed for the Indian Territory—William Wallace, late of Scotland, now at Montreal, deposeth and saith, That this Deponent came out from Scotland in the Year One Thousand Eight Hundred and Eleven, under an engagement for three years, with Miles M'Donell, as a labourer, to assist in establishing a Colony on the Red River : the first year he worked at Seal's Creek, near York Factory ; the next year this Deponent went up to the Red River, with Miles M'Donell and about twenty other persons ; that a Settlement was made there ; that the North-West Company had a Settlement called a Fort, near Miles M'Donell's Settlement ; that the Servants and Settlers of the Hudson's Bay Company were encouraged, and received succours and help from the servants of the North-West Company ; and that the first winter they were there, this Deponent thinks they must have starved, if the servants of the North-West Company had not supplied them with provisions ; that the North-West Company always continued to be friendly to Miles M'Donell's people or Settlers, until Miles M'Donell, John Spencer, and Michael M'Donell and others, took provisions by force from the North-West Company ; that this Deponent remonstrated with the said Miles M'Donell, and refused to take up arms against the North-West Company : Miles M'Donell said there was no law in the country but the law of the strongest, and that he could not get on with-

out that being the case; that in the spring of the Year One Thousand Eight Hundred and Fourteen, he was ordered by Peter Fidler (one of Miles M'Donell's officers) to take up arms, which arms were to be employed against the North-West Company; that upon his refusing to do any such thing, he was threatened by him (Mr. Peter Fidler) to be flogged, and to have his wages stopped; that Miles M'Donell had said, those who might be wounded or maimed in any manner, in a skirmish or action with the said North-West Company, would receive a pension; that all those who would take up arms against the said Company, would, as Miles M'Donell had said, receive three pounds, Halifax currency; that this Deponent not being inclined to take up arms, or to be a party in hostilities, or using force against the North-West Company, last spring left the service of the said Hudson's Bay Company; that before he left Miles M'Donell, he saw him cause one John Funning to be tied to a tree, and his, Miles M'Donell's servant, ordered to beat him with rods; that Miles M'Donell was present, and scolded his servant for not striking him hard enough; took the rod out of his servant's hand, and beat the said John Funning himself, most unmercifully; that in June One Thousand Eight Hundred and Fourteen, a party of Miles M'Donell's men were sent out, and brought back a quantity of provisions, pemican, which had been taken from the North-West Company; that when it was brought down to Miles M'Donell's Fort, this Deponent helped to carry it up into Miles M'Donell's stores; he this Deponent heard Miles M'Donell remark, it was a good beginning, and that in a little time he would drive the North-West Company out of the River; that in summer of the Year One Thousand Eight Hundred and Fourteen, he was witness to Miles M'Donell bringing a party of armed men and a field-piece to the river side, in order to stop any canoe passing, that belonged to the North-West Company; that he saw two canoes stopt (the property of the North-West Company), the men taken prisoners, and a case of guns taken from said canoes, and deposited in the store, by Miles M'Donell's orders.

(Signed)

WILLIAM WALLACE.

Sworn before me, at Montreal,
this 20th day of September,
1815,

(Signed) A. N. MACLEOD,
J. P. I. T.

No. XIII.

Speech of the GRANDES OREILLES, a great Chief of the Chippeways, made in the Indian Hall, at the Forks of Red River, the 19th June, 1814; addressed to several of the Partners of the North-West Company. The Chief holding a String of Wampum in his hands, tied at both ends, proceeded thus:

Traders, my Children, when I first heard of the troubles you were in at this place, my heart became sorry, and the tears ran down my cheeks. I found, however, there was no time to indulge in grief, no time to be lost. Our Traders, our Friends, the Protectors of our Children, were surrounded with dangers; I gave the call of war, and you see before you proofs that my voice was not exerted in vain; my young men have listened to it.

I find that you as well as the Indians are surrounded with difficulties and dangers. *We* are placed as if all were encircled within the ring of beads which I hold in my hands. *We* have the Sioux to oppose from above, and now it appears that we have to contend with *Landworkers* from below.

What are these *Landworkers*? *What* brought them here? *Who* gave them our lands? and how do they dare to prevent our Traders from purchasing whatever we have to give them, upon our own lands? But it would appear that these Strangers, these makers of gardens, look upon themselves as the real possessors of these lands, and presuming on this extraordinary right, would wish to prevent you from returning here, by depriving you of your stock of provisions traded on this River, in hopes thereby to drive you from the country, and make slaves of the Indians when deprived of their Friends and Protectors. As for them, we can never look on them as such.

Last summer I was called upon by you to go with my young men to Fort William, in order to give assistance against the Americans; I listened to the call, and proceeded towards your great Lodge; but when we reached it, I found that our assistance was not required. I however left my war club in the Hall, in case I might again be called upon. I then could not have thought that I should ever have occasion for my club to serve against the Whites on these lands; and white people too, coming from the same

lands with yourselves! and all of you, as well as the Indians, obeying the same Great Father. But we see that the Landworkers are unreasonable; that they are determined to impose upon us and upon you. We are therefore equally determined to break down whatever barriers they may set up against us, or against you. My young men are equally determined with myself; it is our wish, it is our interest, to preserve you amongst us at the risk of our lives; for if you leave us, who will have pity on our women and children?

You say, however, that for the present, you have come to an understanding with these people, that you have carried your point with them. I am glad of it: I thank the Master of Life, that my string of beads will not be stained with the blood of Whites residing on these lands. I should always wish to see you at peace. I would love you all, was it possible; but my heart and my life is at the service of those who have charge of the bones of my Father* and my Brother; and if you cannot live in peace, and that these Landworkers will not allow you to trade with us as usual, they shall be destroyed, or driven out of the Assiniboine River.

To conclude what I had to say; I already see a great change. When we were accustomed to encamp round the Forts of our Traders on this river, our Children used to be fed with pounded meat and with grease; but this spring, hunger and starvation forced us to leave the Fort much sooner than I intended; for my wish was to remain until the black clouds which appeared hanging over the Fort were dispelled.

Some of you, my Children, thought perhaps then, that I wished to get out of the way. But no; I had no such intentions: seeing that you had not a mouthful of provisions, even for your young men, I was forced to go and seek something for my Children. It was not the sound of bad birds that drove me away; my readiness in appearing here to support your cause, ought to be a proof of my attachment to my Traders and to my Children.

These are my words, and I have not two mouths.

* The bones of Netam, the Great Chief, Father of the Speaker, are preserved on a scaffold at Fort William, and his Son's bones in the same manner at Lac la Pluie. There is always a flag placed over them by the Company, as a mark of distinction, and respect for the memory of the dead Chiefs.

No. XIV.

*Resolutions of the Hudson's Bay Company.**Hudson's Bay House, 19th May, 1815.*

At a General Court held this day, of the Governor and Company of Adventurers of England trading to Hudson's Bay, for the purpose of taking into consideration an Ordinance for the more effectual administration of Justice in the Company's Territories, pursuant to a notice of the same, advertised in the London Gazette on Saturday the 13th instant, the following Resolutions were submitted to the Proprietors, and passed in the affirmative, viz.

First, That there shall be appointed a Governor-in-Chief and Council, who shall have paramount authority over the whole of the Company's Territories in Hudson's Bay.

Secondly, That the Governor, with any two of his Council, shall be competent to form a Council for the administration of Justice, and the exercise of the power vested in them by Charter.

Thirdly, That the Governor of Ossiniboia and the Governor of Moose, within their respective districts, and with any two of their respective Councils, shall have the same power; but their power shall be suspended while the Governor-in-Chief is actually present for judicial purposes.

Fourthly, That a Sheriff shall be appointed for each of the districts of Ossiniboia and Moose, and one for the remainder of the Company's Territories, for the execution of all such process as shall be directed to them according to law.

Fifthly, That in case of death or absence of any Councillor or Sheriff, the Governor-in-Chief shall appoint a person to do the duty of the office, till the pleasure of the Company be known.

Extracted from the Minute Book of the said Company
by

ALEXANDER LEAN, Secretary,

9th June, 1815.

No. XV.

John Siveright's Affidavit.

*Province of Lower Canada, }
District of Montreal. }*

JOHN SIVERIGHT, late of the Red River, in the Indian or North-West Country, in North America, Gentleman, maketh oath and saith, that he this Deponent, in and previous to the month of March last, was a Clerk in the service of the North-West Company, in the said Indian Territory; that on the seventeenth day of March last past, Duncan Cameron, a Partner in the said North-West Company, was residing in a Fort or Establishment belonging to the said North-West Company, called Fort Gibraltar, situated at the Forks of the Red River aforesaid; that the said Duncan Cameron had the charge of the said Fort, and of the persons in the service of the North-West Company residing in the said Fort; that between the hours of seven and eight o'clock in the evening of the said seventeenth day of March last past, the said Deponent, one Seraphim La Marre, a Clerk in the service of the North-West Company, and one Joseph l'Aurent, were in the apartment of the said Duncan Cameron in the said Fort, with the said Duncan Cameron; that they were surprized and alarmed by the entry of a party of men headed by one Colin Robertson, a person in the service of the Hudson's Bay Company, or of the Earl of Selkirk; that the Deponent distinguished one Alexander M'Lean, John P. Bourke, Michel Hayden, Martin Jordan, and several other persons in the service of the said Hudson's Bay Company, or of the Earl of Selkirk; that the said Colin Robertson was the leader of the said party; that the said Colin Robertson had a drawn sword in his hand; that the said Alexander M'Lean and the said John P. Bourke, had drawn sword and pistols in their hands, and that the other men of the party were armed with guns and fixed bayonets, and pistols in their belts; that the said Colin Robertson, on coming in the said rooms, went up to the said Duncan Cameron and collared him, saying, "I am a man, and will no longer be imposed on," and laid hold of the said Duncan Cameron's sword, which was hanging up against the wall; and the other persons of the said party took the guns and pistols of the said Duncan

Cameron; that the said Duncan Cameron asked the said Colin Robertson the meaning of his conduct; to which the said Colin Robertson replied, "You will know by and bye;" that the said Colin Robertson then left the said apartment, and on going out, addressing himself to the said John P. Bourke, and the said Alexander M'Lean, said, "Captain M'Lean and Ensign Bourke, I deliver you the prisoners in charge—you will confine them all in the same room;" that the said John P. Bourke then came up to the Deponent, and put a pistol to his head, and addressing this Deponent, said, "You damned rascal, I have a mind to blow your brains out;" when one of the party laid hold of the said John P. Bourke's arm, and said, "Mr. Bourke, you are not to shoot any one here;" that the said Deponent was, in consequence of the behaviour of the said Colin Robertson, Alexander M'Lean, John P. Bourke, and the other persons with them, put in fear of his life; that the said John P. Bourke then proceeded to collect all the papers and letters of the said Duncan Cameron lying on the table, and those in the desk, and put them in a box or chest, and gave them to one of the said party, who took them off; that an armed guard was placed in the room over the said Duncan Cameron and the Deponent, for about three hours, keeping them close prisoners in the said room; that Deponent then obtained permission from the said Alexander M'Lean to go into the hall or outer room, and went from the said room by permission into a room in the same house, where the said Seraphim La Marre was kept prisoner by the said party; that the Deponent, on going into the last mentioned room, asked the said Colin Robertson what his intentions were, and if he meant to keep them all prisoners? To which the said Robertson replied, he would give him an answer next day; that an armed guard was kept all night in the said hall or outer room, to prevent the said Duncan Cameron, the said La Marre, and this Deponent, leaving their rooms; that on the following day the said Colin Robertson informed this Deponent he was going to send off three men to intercept the North-West Express, which was then daily expected at the said Fort, and requested this Deponent to propose to the said Duncan Cameron, who was still a prisoner, that if he the said Cameron would promise not to take any means to prevent the express coming in, that he the said Robertson would only open the letters addressed to the said Cameron, and would allow the remainder of the letters to proceed; that the said Deponent made the proposal to the

said Cameron, who assented to it, telling this Deponent, that as it was in the power of the said Robertson to take the whole of the letters, and as they were of great consequence to the North-West Company, it was better to consent to it; that this Deponent, on the day last mentioned, asked the said Robertson, by Cameron's request, to give up the Fort, and allow the trade to be carried on; that the said Robertson refused, saying that it was the Key of the Red River, and he was determined to keep it at all events; that on the same day, the eighteenth, and on the nineteenth day of March last, the said Robertson caused a quantity of small arms and pieces of cannon to be brought into the Fort, and deposited in the store; that two men arrived in the afternoon of the nineteenth of March aforesaid, with the North-West Express, who were immediately put into a room, and an armed guard put over them; the letters were then taken to the quarters of the said Robertson, and *this Deponent was conducted by two armed men to Robertson's quarters, by the orders of the said Robertson; that the said Robertson opened the packet containing the said letters in the presence of this Deponent, and the Deponent saw the said Robertson break open six letters or more, addressed to the said Cameron, one letter addressed to John Dugald Cameron, and one letter addressed to the said La Marre; and the said Robertson kept all the letters, about one hundred (excepting three letters addressed to this Deponent); that this Deponent, on the following day, obtained leave to go out of the Fort, and went to Qu'appelle Fort, an establishment of the said North-West Company about one hundred leagues distant from Fort Gibraltar; that Alexander McDonnell, one of the Partners of the said North-West Company, who commanded at the said Qu'appelle Fort, wrote a letter to the said Robertson, which the Deponent read, desiring the said Robertson to give up the said Fort Gibraltar, and to leave it in the state in which he had taken it; that this Deponent took the said letter and went to the said Robertson, and delivered it to him; that this Deponent, on or about the tenth day of April last past, left the said Fort Gibraltar, at which time the said Cameron was still kept prisoner by the said Robertson; that when this Deponent passed the Forks of the said Red River this spring, the said Fort Gibraltar was demolished, and no part of it remained standing but the chimnies; and this Deponent saw the principal part of the wood and timber of the the said Fort putting up as a Fort round the Settlement of the Earl of Selkirk, or Hudson's Bay Company, at Red*

River aforesaid ; that this Deponent was informed, and verily believes, that the Furs belonging to the North-West Company, which were in the Fort Gibraltar aforesaid at the time the said Robertson took possession of it, were taken down to Hudson's Bay, by the Agents of the said Earl of Selkirk, or of the Hudson's Bay Company, and that the said Furs were of the value of Eight Hundred Pounds currency, or thereabouts ; that this Deponent was also informed, and verily believes, that the said Cameron was sent down to Hudson's Bay by the orders of the Agents of Hudson's Bay Company, or of the said Earl of Selkirk. .

JOHN SIVERIGHT.

Sworn at the City of Montreal,
in the said District, this
30th day of August, 1816,
before me,

Es. ROLLAND.
J. P.

No. XVI. .

François Taupier's Affidavit.

District de Montréal.

FRANÇOIS TAUPIER, de Ste. Theresa, dans le District de Montréal, laboureur, ayant prêté serment, depose et dit, que dans le mois de Mars dernier il étoit dans le pays haut ou pays sauvage, dans un Fort appartenant à la Compagnie du Nord-Ouest, situé sur les Fourches de la Rivière Rouge, appelé *Fort Gibraltar* ; qu'il étoit dans une petite maison en dedans du dit Fort, et au service de Duncan Cameron, un des Associés de la dite Compagnie ; que vers les sept ou huit heures du soir il entendit beaucoup du bruit dans le dit Fort, qu'il a sorti de la maison sus dite, et a l'entré dans l'appartement du dit Cameron en une maison dans l'enceinte du dit Fort ; qu'en y entrant il aperçut un nommé Bourke, et un nommé McLean armés de sabres et de pistolets, menaçant le dit Cameron et lui présentant leurs pistolets. Qu'il n'avoit d'autres personnes armées dans le dit

Fort, qui étoient de la partie d'un nommé Robertson, et qui y sont venus avec lui. Que le dit Bourke, et dit M'Lean, et les autres personnes armées sont entrés dans le dit Fort, sous le commandement du dit Robertson, un des Agents de la Société de la Baie d'Hudson; qu'il a entendu dire, et qu'il croit, que le dit Bourke, s'appelle John P. Bourke, le dit M'Lean, Alexander M'Lean, et le dit Robertson, Colin Robertson; que les dites personnes armées qui étoient dans l'appartement sus dit, ont contraint le Deposant de sortir du dit appartement; que le Deposant alors entra dans la dite petite maison d'ou il sortoit, et qu'après qu'il y est entré le dit Bourke entra dans l'appartement ou le dit Deposant étoit, menaçant le Deposant et lui présentant son pistolet; que lui le Deposant en consequence de la conduite du dit Bourke et des autres personnes avec lui, craignoit pour sa vie; que le nommé Branconnier, une des personnes au service du dit Cameron fut blessé au bras par un coup de bayonnette infligé (à ce que le Deposant croit) par une personne sous le commandement du dit Robertson; que le Deposant et les autres personnes au service du Nord-Ouest dans le dit Fort ont été fait prisonniers, et retenues contre leur volonté, dans le dit Fort, quatre ou cinq jours par les dits Robertson, Bourke, et M'Lean, et les personnes avec eux; que le dit Cameron resta prisonnier depuis le temps que le dit Robertson est entré dans le Fort, jusqu'à ce que le Deposant soit parti du dit Fort environ cinq jours après, et qu'il étoit encore alors prisonnier—Que le dit Robertson a pris possession de tout ce qu'il y avoit dans le dit Fort, appartenant à la Compagnie du Nord-Ouest, et de leurs marchandises, d'environ trente paquets de pelletteries de la valeur de mille francs chaque, de leurs armes et ammunitions, et de la plus grande partie de leurs vivres. Que quand le Deposant est passé aux fourches de la Riviere Rouge ce printemps, le dit Fort Gibraltar étoit démoli; que plusieurs personnes au service de la Société de la Baie d'Hudson ont informé le dit Deposant, que le dit Fort avoit été démoli par les gens de la dite Société de la Baie d'Hudson.

Sworn at the City of Montreal, in the said District,
this 14th day of September, 1816, before me,

Fs. ROLLAND.
J. P.

No. XVII.

Joseph Jourdain's Affidavit.

CE jour d'hui le huitieme d'Août de l'an mil huit cens seize, au Fort William, dans le district de Kaministiguiâ, devant moi William M'Gillivray, l'un des Juges de Paix de sa Majesté pour les Territoires Indiens, comparut personnellement Joseph Jourdain, de la Noré dans la Province du Bas Canada, un des Serviteurs de la Compagnie du Nord-Ouest, qui, après avoir preté serment sur les Saint Evangiles, Depose; que dans l'automne de l'an mil huit cens quinze, Mr Duncan Cameron, le dépêcha des Fourches de la Riviere Rouge pour aller passer l'hiver à la Riviere au Pembina, que le nommé Bostonnois Pangman avait en charge; qu'environ au vingt de Mars dernier, à peu près à neuf heures du soir, sept hommes armés de sabres, fusils, et bayonettes, se presenterent devant sa maison, et enfoncant la porte se jetterent dedans; que le Deposant étant couché, et que les assailans le menacerent de lui bruler les cervelles, s'il osoit bouger, le nommé Rogers fut à la tete de la troupe, et tint son pistolet tandé; qu'ils dirent au Deposant qu'ils étoient venus pour s'emparer de Bostonnois Pangman, d'Alexander Fraser, et de Charles Hesse, qui étoient les commis, et pour emporter toutes les armes et ammunition; que le Deposant se rendit immediatement après à la maison de Bostonnois Pangman, à la distance d'environ quatre vingt pieds, et qu'en entrant, il trouva John Pritchard, Alex. Macdonell, M'Leod, et plusieurs autres, tous armés, avec les dits Bostonnois, Fraser, et Hesse, qui avoient été desarmés et faits prisonniers; que John Pritchard et Alex. Macdonell forcerent Bostonnois de leur remettre la clef du magazin, ce qu'il fit; qu'immediatement après ils emporterent un baril de poudre, un sac de bal de plomb, de quatre-vingt livres de poids environ, et toutes les armes appartenantes à la Compagnie du Nord-Ouest, et a leur serviteurs; qu'ensuite ils emmenèrent prisonniers les dits Bostonnois, Fraser, et Hesse, et les enfermerent dans l'ur Fort à la distance d'environ deux cens perches, d'où il furent envoyés trois jours après aux Fourches, de concert avec un Métif nommé Cantonnois, qui fut fait prisonnier pareillement.

Que cinq ou six jours après l'attaque sus dite, le dit John Pritchard, et le dit Alexander Macdonell, avec une bande

guie de la Baie de Hudson, se rendirent au magasin et emporterent toutes les marchandises, pelleteries et effets ; que le Deposant et les autres gens de la Compagnie du Nord-Ouest étant informés que le Fort et toutes les provisions aux Fourches avoient été saisies, furent obligés de se rendre dans les plaines pour aller trouver de la nourriture.

Qu'au mois de Mai suivant, le Deposant descendit la Riviere j'usqu' aux Fourches, et vit alors Mr. Duncan Cameron, qui fut embarqué comme prisonnier dans un bateau pour aller à la Baie de Hudson ; qu'il vit aussi mettre a bord les paquets de pelleteries qui'avoient été saisies aux deux postes des Fourches, et à la *Riviere au Pembina*, mais qu'il n'en sait pas le nombre ; que Mr. Duncan Cameron lui dit (au Deposant) qu'il y avoit eu trente trois paquets defaits dans le temps que la traité fut bouchée, et qu'il se rappelle parfaitement qu'il y avoit quatre à cinq paquets de pris à la Riviere au Pembina ; qu'aux Fourches. il vit les serviteurs de la Compagnie de la Baie de Hudson et les Colonistes raser le Fort de la Compagnie du Nord-Ouest, et faire descendre par le courant de la Riviere, tous le bois qui pourrait servir au Gouverneur Semple dans ses quartiers ; qu'après cela, il les vit mettre le feu aux débris ; que le Deposant resta aux Fourches avec les hommes libres, jusqu'à l'arrivé de Mons. Alexander M'Donell de la Compagnie du Nord-Ouest, avec les Batteaux de la *Riviere Qu'Appêlê*.

(Copic.)

Sworn before me, at Fort William, Indian Territory, this Tenth day of August, One Thousand Eight Hundred and Sixteen,

(Signed) WM. M'GILLIVRAY,
J. P. I. T.

No. XVIII.

Jean Baptiste Gervais' Affidavit.

Ce jour d'hui le neuvieme d'Août de l'an mil huit cens seize, au Fort William, dans le district de Kaministiguiâ,

devant moi William M^eGillivray, un des Juges de Paix de sa Majesté pour les Territoires Sauvages, comparut personnellement Jean Baptiste Gervais, de Sorel, un des engagés au service de la Compagnie de Nord-Ouest, qui, après avoir prêté serment sur les Saintes Evangiles, depose, qu'il a hiverné *aux Fourches de la Riviere Rouge* avec le Sieur Duncan Cameron, et qu' au mois d'Octobre dernier, ne se rappelant pas exactement du jour du mois, mais que ce fut un Dimanche, une bande armée de Colonistes de la Riviere Rouge, et de gens engagés au service de la Compagnie de la Baie de Hudson, ayant le nommé John Bourk et M^eLean à leur tete, entrèrent de force le Fort de la Compagnie de Nord-Ouest, et que lui et tous les Canadiens au Fort furent faits prisonniers ; qu'il ne se resouvient pas exactement du nombre des assailans, mais qu'ils estoient plus de douze, et armés de fusils, et de bayonettes; qu'en entrant le Fort, ils emmenerent avec eux le Sieur Seraphim La Mar, qui avoit déjà été fait prisonnier d'avance ; et que le Deposant fut instruit que les Sieurs Duncan Cameron et Charles Hesse, en faisant un tour à cheval dans les prairies, avoient été faits prisonniers de même, par le dit John Bourk, M^eLean, et autres de la Colonie, et conduits dans le Fort de la Baie de Hudson, dont le nommé Colin Robertson fut le chef ; et qu'ils avoient amenés avec eux le dit Seraphim La Mar, après de leur delivrer les clefs des magazins ; que le Deposant lui vit leur remettre ; que la Bande proceda ensuite au desarmement de tous les Canadiens qui avoient des fusils, et qu'ils rassemblerent toutes les armes, et de toute description, qui se trouvoient dans les magazins et dans les maisons, et les emporterent avec eux dans leur propre Fort ; que le Deposant et tous les autres engagés de la Compagnie de Nord-Ouest, furent immediatement après ordonnés de preparer leurs Canots et de partir incessamment, soit pour l'embouchure de la Riviere Ouinipique, ou pour la Riviere Blanche ; que dans la soirée du meme jour, le Sieur Duncan Cameron fut conduit prisonnier dans son propre Fort, et enfermé dans sa chambre avec une sentinelle devant sa porte. Le Deposant sus dit depose ensuite qu' dans le mois de Mars dernier, ne se rappelant pas exactement du quantième, mais que ce fut un Dimanche au soir, une forte bande des Colonistes de Lord Selkirk, et des engagés de la Compagnie de la Baie de Hudson, armés de fusils, et de bayonettes, ayant Colin Robertson, John Bourk, et M^eLean à leur tete, entrèrent le Fort de la Compagnie de Nord-Ouest par la petite porte, et prirent prisonniers le Sieur Cameron et tous les gens au Fort : qu'ensuite ils s'emparerent

de toutes les marchandises, pelleteries, et provisions qui se trouvoient aux magasins, et en tinrent possession ; que peu après, tous les engagés au services de la Compagnie du Nord-Ouest furent obligés de quitter le Fort, à l'exception du Deposant, qui, avec un autre homme, demeuroident avec le Sieur Cameron qui fut detenu prisonnier : et que le Deposant resta avec lui jusqu'au moment où le Sieur Cameron fut transporté à la Baie de Hudson ; que depuis il resta avec Custain Bellange, homme libre, qui demouroit tout proche du Fort : qu'il vit les paquets de pelleteries appartenant à la Compagnie de Nord-Ouest, et qui avoient été pris dans leur Fort, etre embarqués dans des canots, appartenant pareillement à la Compagnie du Nord-Ouest, et partir pour la Baie de Hudson ; que le nombre des paquets etoit environ de quarante, et qu'il y avoit quatre canots, donc l'un étant carré fut laissé en arrière ; qu'au mois de Juin dernier, il vit le Gouverneur Sample et sa troupe, aller à la poursuite des Métifs, qui avoient passé le Fort sans qu'il s'en fut apperçu, et n'en fut informé que lorsqu'il vit des Colonistes se mettre en marche, quand quelques uns des hommes libres lui dirent, "Nos gens sont passés, les Anglois ont donnés après." Qu'il vit les Colonistes et les gens de la Baie de Hudson, ayant John Bourk pour commandant, raser le Fort de la Compagnie de Nord-Ouest, emporter tous le bon bois, et le faire descendre en Cage dans la Riviere, et qu'après le feu fut mis aux débris.

(Copie.)

Sworn before me, at Fort William, Indian Territory, this Tenth day of August, One Thousand Eight Hundred and Sixteen,

(Signed) W. M. M'GILLIVRAY,
J. P. I. T.

No. XIX.

*Second Affidavit of John Siveright.**District of Montreal.*

JOHN SIVERIGHT, late of the Red River, in the Interior or North-West Territory, Gentleman, deposeth and saith, That he is a Clerk in the service of the North-West Company; that on the ninth day of June last, the Deponent was at a place called Portage de la Prairie, on Red River aforesaid, and remained there until the twentieth day of June; that on the eighteenth day of the said month of June, Alexander M'Donell, one of the Partners of the said North-West Company, sent a party of about fifty men from the said Portage de la Prairie, with orders to proceed to a place about twelve miles below the Forks of the said Red River, and there to wait the arrival of the canoes and people of the North-West Company, who were expected from the North, and from Fort William; that the said Alexander M'Donell gave orders to the said party, in the presence of this Deponent, not to go near the Establishment or Colony of the Hudson's Bay Company, near the Forks of the said Red River, nor on any account to molest any of the Settlers; they were only to see if the communication of the river was free, and as soon as the canoes or people of the North-West Company should arrive from below, they were to send up notice; that the said party, had fifteen bags of pemican with them, for their own provision, and to supply the people of the North-West Company expected from below.

(Signed) JOHN SIVERIGHT.

Sworn at Montreal, the 13th September, 1816, before me,

(Signed) F^s. ROLLAND.
J. P.

No. XX.

*Deposition of Lieutenants Charles Brumby, and John Theodore Misani.**District of Montreal.*

CHARLES BRUMBY, Lieutenant in His Majesty's Regiment de Meuron, and John Theodore Misani, also Lieutenant in the same regiment, respectively depose and say, That in the beginning of May last, they left Montreal, in company with Messrs Alexander M'Kenzie, Archibald Norman M'Leod, and Robert Henry, on a journey to the Indian Territories in North America; that being arrived at the distance of about fifty miles from the Forks of the Red River, in the Indian Territories, on the twenty-third of June last, in the morning, they met a number of persons coming from that place, among whom were several of the Colonists of the Settlement of Lord Selkirk, who informed them that a battle had been fought between the Colonists and the half-breed Indians, at the distance of a mile and a half below the Fort or place of residence of Robert Semple, Esquire, Agent of the Hudson's Bay Company (called by them, Governor Semple) at the Forks of the Red River, and they understood this battle was fought on the nineteenth of the said month; that the Deponents proceeded till they reached the place where they understood that the said Robert Semple had a Post or Establishment, and there saw a number of Indians (called half-breeds) and other Indians assembled there; that the Deponents remained there but a few hours, and returned to *Riviere aux Morts*, situated at the distance of about fifty-four miles from the said Forks of the Red River, on their way back to Fort William; that on their arrival at *Riviere aux Morts*, they saw John M'Donald, who was arriving from his wintering grounds, and also Simon Fraser, who arrived in canoes; that these two persons could not have been coming from Red River, as these Deponents must have met them coming down the river on their way to Red River, if they had come by water from that quarter; and that the said John M'Donald gave these Deponents directions to take some of his provisions, on their return to Fort William, at a place which he pointed out to them; that they also met at the same place, John M'Laughlin, whom they had left at Fort William when

they passed it; that they met John M'Gillivray in Lake Winipic on the twenty-seventh day of the said month, as they were going to Fort William, coming, as it appeared to these Deponents, and as he informed them, from his wintering quarters; that the several persons above named, appeared to these Deponents to be entirely ignorant of what had taken place at the Forks of the Red River on the nineteenth of the said month of June; and these Deponents verily believe, that they were not, and could not have been at that place at the time; that these Deponents were informed that the persons concerned in the North-West Trade, generally received their provisions at a place called *Le bas de la Riviere*, that is, the entry of the River Winipic, and that the reason of several of them going up the river as far as the *Riviere aux Morts*, was their disappointment in not receiving their provisions at the usual place; that when these Deponents left Montreal, on the first or second of May last, they saw Mr. William M'Gillivray at that place, and they found him at Fort William on their return from the Red River, where they arrived on the tenth of July last; that on the thirteenth day of August, the Deponents being at Fort William, saw two of the boats that had come the preceding day with a party of men under the Earl of Selkirk; that these two boats were full of soldiers; that Captain D'Orsonnens was in the first boat, and Lieutenant Fauche in the second; that on their landing near the gate of the Fort, a person of the name of M'Nabb, and another person of the name of Allen, both of whom had come in the said boats, approached the gate of the said Fort with Captain D'Orsonnens, who was armed with a sword and pistol, and there spoke to several of the Partners of the North-West Company, who stood at the gate; that some words passed between them, and these Deponents heard some of the North-West Company (as they verily believe) say, "Yes, but we cannot admit so many people in the Fort at once." That one half of the gate was then shut partly. That immediately on uttering the above-mentioned words, Captain D'Orsonnens called to the men in the boats, "*en avant, aux armes, vites.*" upon which the men in the boats jumped out, and, with musquets and fixed bayonets, rushed into the Fort, a bugle at the same time sounding the advance; that a number of the men (*voyageurs*) in the service of the North-West Company, who stood near the gate, ran towards their encampment; that these Deponents observed several of the soldiers dragging Mr. John M'Donald towards the boats, swearing at him,

and using violence, and heard him cry out, "Don't murder me." That these Deponents entered the Fort, where they saw Mr. Allen, and asked him the cause of such proceedings, who answered, that all would be soon explained, and that the person who had ordered these measures would answer for the consequences, or words to that effect; that a few minutes afterwards, Captain Matthey arrived with a reinforcement of soldiers, which the Deponents conceived to have been called for by the sound of the bugle; that there were two pieces of cannon in the Fort, which the soldiers planted in the square, and pointed at the gate, and this armed party was immediately in possession of the Fort, as no resistance whatever was offered to them; that the Deponents did not see any of the persons in the Fort armed at the time it was so taken possession of by the said armed party; that on the same day, the Partners of the North-West Company who were in the Fort, nine in number, were arrested, and the Deponents saw several of them conducted as prisoners out of the Fort with a guard, and they returned about eight o'clock in the evening, and the next day they were put in close confinement, with sentries over them; that in the evening of the thirteenth the troops were marched out of the Fort, after having been assembled in the square by the sound of the bugle, with the exception of twenty men under the command of Lieutenant de Graffenreid, who remained in the Fort as a guard for the night; that sentries were posted in several places, and the place had the appearance of a military post; that the next morning Captain Matthey returned to the Fort with a number of armed soldiers, and told Mr. William M'Gillivray on his arrival, that he had brought a reinforcement, as they understood that the Gentlemen who had been arrested the preceding day, instead of confining themselves to their own rooms, had been going about, and that arms had been preparing, or words to that effect; that a short time after, the Earl of Selkirk made his entrance into the Fort, accompanied by his body-guard, and from that moment the Earl of Selkirk appeared to take the command; and some days after, he took his quarters in a house formerly occupied by the Gentlemen of the North-West Company; and some of his people were also quartered in other apartments and buildings within the Fort; that the Deponents also understood, that on the following days, the Books and Papers of the North-West Company had been seized and searched, and saw, at one time, Mr. Allen, Mr. M'Nabb, Mr. M'Pherson, and Captain D'Orsonneus, searching for Papers, and

sealing up trunks in different rooms ; the Deponents also saw some of the soldiers employed in making gun-carriages in a work-shop formerly used by the Carpenters and men of the North-West Company ; that on the twenty-second day of the same month of August, a canoe arrived from Montreal with Dispatches for the North-West Company ; that the Papers or Dispatches the men brought were taken from them, and the canoe searched ; that some of the things in it were placed in charge of a soldier of the Thirty-seventh Regiment, one of the body-guard of the said Earl of Selkirk ; that it appeared to these Deponents, that from the time of the taking of the Fort, as above-mentioned, until the time the Deponents left it, the trade and business of the North-West Company was entirely stopped ; that the Deponents understood the North-West Company were not allowed to send any Goods or Furs out of the Fort, nor could they employ the men in their service, some of whom were destined to go into the interior of the country with goods and ammunition for the Natives, and to supply their different trading posts ; others to go down to Montreal with Furs, and other articles for exportation, as the Deponents understood.

CHARLES BRUMBY, Lieut.
THEODORE MISANI, Lieut.

Sworn at Montreal, the
16th of Sept. 1816.

No. XXI.

Robert M'Robb's Affidavit.

District of Montreal.

ROBERT M'ROBB, of Montreal, in the said district, Gentleman, being duly sworn, deposeth and saith, That he is a Clerk in the employ of the North-West Company, and was at Fort William, in the Indian Territories in North America, all the month of August last, and up to the third day of the present month ; that on the twelfth day of last month the Earl of Selkirk, with an armed party, passed the Fort, and encamped at the distance of about half a mile above the Fort, on the opposite side of the river ; that the next day this Deponent saw the men composing the above party, cleaning and preparing their muskets, and landing pieces of artillery from their boats ; that the same day, thirteenth,

in the afternoon, this Deponent was at the gate of the Fort, when two boats arrived near the Fort, full of armed soldiers; that a person called Dr. Allen, John M'Nabb, Donald M'Pherson, and Capt. P. D. D'Orsonnens and Lieut. Gaspard Adolph Fauche, these two latter formerly Officers in the De Meuron Regiment, and several other persons, came up to the gate of the Fort, and were about entering it, when Mr. John M'Donald, a Partner of the North-West Company, who stood there at the time, told these persons, that they could not enter so many people at one time, without shewing their authority; that upon this, one of the above-named Officers called to the soldiers in the boats, "*aux armes!*" that the bugle sounded, and the men rushed in the Fort with fixed bayonets; that this Deponent observed the above-named Capt. D'Orsonnens had a sword or sabre at his side, and pistols about him, and that the said Lieut. Fauche had a gun or fusil in his hand at the time they so forcibly entered the Fort with this armed party; that presently after, when in the Fort, this Deponent saw Capt. D'Orsonnens and several others of the soldiers about Mr. John M'Donald: Capt. D'Orsonnens had hold of him by the collar, one of the soldiers held a pistol to his head; Capt. D'Orsonnens ordered him to be dragged out of the Fort; that this Deponent then heard the said John M'Donald say, that he would not go unless they produced their authority; that this armed party was distributed in the Fort, and took possession of every thing in it belonging to the North-West Company, and from that moment, the Fort was completely in the power of the Earl of Selkirk and his armed force, and was still so when this Deponent left the place, on the third day of September instant; that the Gentlemen, Partners in the Company, being arrested, the Clerks were not allowed to communicate with them, and the business of the Company was entirely at a stand; the canoes had been ordered into the Fort, and no goods for the Interior, nor Furs and other articles of trade were allowed to be taken out of the Fort; that on the second of this month, this Deponent understood that Mr. M'Tavish, one of the Clerks of the Company, was called upon by the Earl of Selkirk for the purpose of letting him see the provision-store; that Mr. Landreaux, another Clerk of the Company, was sent with his Lordship, with the keys of the store, and opened the doors, and that when his Lordship had entered the store, he told Mr. Landreaux he would keep the keys, and took them from him, saying that application must be made for provisions to Capt. Matthey; and that he had before told Mr. M'Ta-

wish, that all the property was distrained; that when this Deponent left the Fort the next day, he understood that the keys of the provision-store were still in the possession of the Earl of Selkirk; that this Deponent has also a knowledge, that some days before, the Earl of Selkirk had given orders that a number of the men (*engagés voyageurs*) in the service of the North-West Company, should conduct his canoes in the interior, and heard his Lordship tell Mr. M^r Turish, that he must not dissuade the men, and that if he did, it would be at his peril; and that he was informed by the men, that they were commanded in the name of Government; and this Deponent hath hereunto signed his name.

(Signed)

ROBERT M^rROBB.

Sworn at Montreal, the 21st
Sept. 1816, before me,

(Signed) ROD. M^rKENZIE,

J. P. and Civil Magistrate for Indian Territories.

No. XXII.

Robert Cowie's Affidavit.

ROBERT COWIE, now at Montreal, Gentleman, duly sworn, deposeth and saith, That he is a Clerk to the North-West Company; that last spring he went up to Fort William with the Honourable William M^rGillivray, and his other employers; that he was at Fort William on the thirteenth day of August, when the Earl of Selkirk, assisted with a large force of soldiers and armed men, by force and violence took the said William M^rGillivray and other Partners of the North-West Company prisoners, and after, possession of the said Fort and Establishment there; that the said William M^rGillivray and other Partners were sent off prisoners under a military escort; that this Deponent and some other Clerks, and about two hundred men, servants and engages of the North-West Company, remained at Fort William, seventy of whom were engaged to go into the interior; that soon after the said William M^rGillivray and his Partners had been so sent off, the said Earl of Selkirk and his servants were using every endeavour to debauch the men of the North-West Company, and get them into his service; that on the twenty-ninth day of August the said Earl of Selkirk brought some goods of his into

the Stores of the North-West Company at Fort William ; that this Deponent, and three other Clerks, advised the said men of the said North-West Company, not to break their solemn engagements with the North-West Company, or suffer themselves to be debauched, as was attempted ; that as soon as this came to the knowledge of the said Earl Selkirk, he ordered a subpoena to be served upon this Deponent and the other three Clerks, to appear at York, in Upper Canada, to give evidence on a certain accusation against " the Honourable William M'Gillivray, for conspiracy ;" that the said subpoena was served upon this Deponent and the other Clerks on the second day of September instant, and this Deponent and the others were ordered to leave Fort William in half an hour for York ; that they left Fort William in the course of the next day.

That the said Earl of Selkirk never examined this Deponent, or enquired of him if he knew of any fact or circumstance respecting any charge whatever against Mr. William M'Gillivray or otherwise ; and the fact is, that this Deponent does not know any fact or circumstance relative to the matter for which he was subpoenaed by the said Earl of Selkirk ; and this Deponent verily believes, that the said Earl of Selkirk made use of his office of Justice, to send him, this Deponent, and three other Clerks of the North-West Company away from Fort William, because they had advised the men not to depart from their engagements, or suffer themselves to be debauched from their bounden duty ; that the day before this Deponent left Fort William, he, the said Earl of Selkirk, had taken possession of the keys of all the provisions of the North-West Company in the said Fort, and had given orders that none were to be taken out but by the order, or through the medium of Captain Matthey, late of the De Meuron Regiment ; and this Deponent verily believes, that this act of violence on the part of the said Earl of Selkirk, was done, the more effectually to get all the men of the North-West Company at Fort William aforesaid into his power and service, in order to assist him in his ulterior proceeding.

(Signed)

ROBERT COWIE.

Sworn at Montreal, the 21st
day of September, 1816,
before me,

(Signed) ROD. M'KENZIE,

J. P. and Civil Magistrate for Indian Territories.

No. XXIII.

To the Right Honorable Earl Bathurst, His Majesty's Principal Secretary of State for War and Colonies.

The Memorial and Petition of M^r Tavish, Fraser, and Co., and Inglis, Ellice, and Co. of London, Merchants, on their own behalf, and on behalf of other Persons interested in the North-West Company of Fur Traders of Canada;

HUMBLY SHEWETH,

THAT the events of the late Campaign in Upper Canada, have entirely cut off all communication between the Lower Provinces and the Establishments of the North-West Company in the Interior of the Continent; and the Americans having obtained the temporary ascendancy on Lake Erie and Lake Huron, it will be impracticable to send up supplies of goods for the Trade, or the necessary subsistence for the persons conducting it, by the usual route from Montréal to Lake Superior.

That your Memorialists have now actually employed in their Service nearly *two thousand persons*, including Partners and Clerks, who are dispersed over the immense countries between Lake Superior and the Pacific Ocean, and engaged in the Fur Trade, with the different Indian Nations who inhabit these extensive regions: that your Memorialists have hitherto respected the supposed rights of the Hudson's Bay Company, by not opening through the Territories which they claim as their property under their Charter, the more direct and expeditious communication from Lake Winipic to Hudson's Bay, but have been contented for a long series of years to conduct their Trade through the Province of Canada, to their serious inconvenience and disadvantage. The route from Lake Winipic to Montreal, exceeding in distance 2500 miles, and requiring a period of 80 days to effect it, that to Hudson's Bay being only 500 miles, and affording in every respect greater facilities.

That the route through Hudson's Bay to the Trading Posts of your Memorialists in the interior, is now the only

one through which they can establish a communication, and bring out their returns of the last year's trade; and they humbly beg leave to represent to your Lordship, that unless they shall be authorized by His Majesty's Government to transmit, through this route, the provisions for the subsistence of their people, and the supplies necessary for their trade, it must be entirely sacrificed during the war.

Although your Memorialists are advised, and have ever contended, that the rights of the Hudson's Bay Company are only nominal, and that those conferred by their Charter, supposing it to be legal, have become void, by their non-compliance with the terms required in it, still your Memorialists have hitherto been averse to enter into any discussions on the subject, further than to attempt a treaty with the Company to define their boundaries in the interior, founded on the rights of each party to the benefits of their own discoveries, but which was defeated by the claim set up by the Hudson's Bay Company, to the whole territory through which the different waters flowing into the Bay, passed in their course, and by the recent Grant in Fee Simple to the Earl of Selkirk, of a large tract of land in the interior for the purposes of colonization.

Your Memorialists have hitherto desisted from troubling His Majesty's Government on the subject of the Claims of the Hudson's Bay Company, being aware of the interpretations which would be put on such an interference, from the jealousy which may naturally be supposed, and actually does exist between two Trading Companies in rivalry with each other; but as there now appears an indispensable necessity that your Memorialists should be permitted to carry on their Trade through its natural channel, they beg leave to submit to the consideration of your Lordship, the necessity of some investigation into the rights of the Hudson's Bay Company, in order that they may be defined and ascertained. The Charter of the Hudson's Bay Company, if valid in all the privileges it is supposed to confer, would indeed be a singular monopoly in the annals of any country: in virtue of it, the Company claim a *perpetual* right to the exclusive Trade, Navigation, and Fisheries in the Bay, and the absolute property, to be disposed of by deed, under their Seal, of all the Countries bordering upon Hudson's Bay, and upon all the Rivers and Lakes communicating with it from the interior.

The conditions of this Grant by the Charter are, that they should colonize and settle the Bay, carry on the Fisheries, and make discoveries in the interior; instead of which,

previous to the discoveries of your Memorialists, they contented themselves with trading such Furs as the Natives brought down to their settlements in the Bay, and have only attempted a communication with the interior, as the enterprise of your Memorialists made fresh discoveries, and the Servants of the Company tracing their route, have formed establishments after them. They have neither colonized the Territory of the Bay, nor carried on the Fisheries to any extent.

The Capital of this Company is undefined by their Charter, but your Memorialists believe it amounts to about 100,000*l*. Stock, which Stock has fluctuated, during the last twenty years, from 230 *a* 50 per cent., and during the last seven years the Directors have neither declared or made any dividend, or laid any statement of their affairs before their Proprietors; so that the value of the Stock must be now very trifling; and your Memorialists are informed, that the Grant to the Earl of Selkirk was made after the Earl had by himself or his connections, by purchases of Stock, obtained a preponderating influence in the direction. The Directors claim also a right from their Charter, when their Stock is insufficient for the purposes of their trade, to borrow loans by bond under their Seal, which under their present circumstances, may become highly prejudicial to such of His Majesty's subjects as might be tempted to advance money under the supposed authority of the Charter.

The predecessors of your Memorialists, who carried on the Fur Trade from Canada to the Countries West of Lake Superior, made their first establishments on that Lake succeeding those of the French Traders in the year 1761, the year after the conquest of Canada by His Majesty's arms, and gradually, as independent Traders, penetrated further into the interior, in every instance preceding the establishments of the Hudson's Bay Company, till the year 1779, when the different Traders, for their common safety in a country where they had no protection from their Government, entered into agreements, and united the Trade under the title of the North-West Company of Canada, and which has been continued by different coalitions of contending parties till the present time. The North-West Company has now extended its establishments to the shores of the Pacific, and have recently sent two vessels round Cape Horn, to connect those with the Trade to China, a trade hitherto carried on with avidity by the Americans. The Hudson's Bay Company have slowly followed their movements in the interior, but without the ability to profit by the Trade.

The Capital which your Memorialists employ in this Trade, is much more extensive than that of the Hudson's Bay Company: their returns have, ever since their establishment, four times exceeded those of that Company, and they have equally been obtained in barter for British Manufactures.

The North-West Company and the other British Traders in Canada, have been the great means of cementing our connections with the Indian Nations of the Continent, who are and have always been particularly attached to them. Under these circumstances, and the peculiar situation in which the War has placed them, your Memorialists have it in contemplation to send an Expedition from Quebec to Hudson's Bay, with the requisite supplies for their Traders in the interior, and they have applied to the Lords Commissioners of the Admiralty, for protection to their ships while in the Bay.

Your Memorialists have found themselves compelled by the unexpected events of the War, to submit their case to the consideration of your Lordship, and humbly hope for the protection of His Majesty's Government, in their endeavours to retain this valuable Trade to the Country; and they respectfully pray, should it be inconvenient to your Lordship to take these circumstances into your immediate consideration, that you will be pleased, in the mean time, to recommend to the Lords Commissioners of the Admiralty, to grant the Convoy requested, and to give instructions to the Captain of the Ship of War which may be ordered on this service, to protect the property of your Memorialists against any attempts on the part of the armed vessels of the Hudson's Bay Company, or others, to capture or detain it as a prize, or to obstruct their proceedings, under the alleged plea of infringing the Law, by a breach of the supposed Chartered Rights of the Hudson's Bay Company.

And your Memorialists will ever pray,

&c. &c. &c.

London, February, 1814.

No. XXIV.

*London, 18th March, 1815.**Henry Goulburn, Esq.*

SIR,

WE have had the honour to receive your Letter of the 2d instant, addressed to the North-West Company, with the enclosed copies of a correspondence between Lord Selkirk and the Governor and Committee of the Hudson's Bay Company, and also the Statement of the Governor and Committee, relative to their grant of Lands to his Lordship, on the Assiniboin River in North America.

As Agents in this Country for the North-West Company of Montreal, we lose not a moment in requesting you will assure Lord Bathurst, that the motives imputed to them by Lord Selkirk, are utterly unfounded; and we are persuaded also, the members of that Company stationed in the interior of the North American Continent, feel too much for the miseries, already inflicted upon their unfortunate countrymen, the victims of his Lordship's visionary speculations, to add by any action of theirs, to the risk which those deluded emigrants undoubtedly run from the disputes which must arise between them and the Indians, and a jealousy the different Tribes have always entertained of any agricultural encroachments on their hunting grounds in the interior.

Lord Selkirk mistates in his Letter, we are persuaded unintentionally, any expressions which may have fallen from us on the first publication of his schemes. We have at all times expressed our fears of the fate which he now seems to dread may await this Colony, and have not ceased to represent to him, and to the Hudson's Bay Company, both the impolicy and danger of attempting any settlement of this nature so remote from legal restraint, and adequate protection from the hostilities of the Indians; and we have always expressed it as our decided opinion, that it would not only be productive of ruin and danger to the Settlers, but to the valuable trade carried on by both parties: our experience of the effects of this intended settlement has not tended to remove, but on the contrary, to enforce these impressions; and the present application from his Lordship, but too strongly confirms the correctness of them. The conduct of the North-West Company's Traders, in supplying the Colonists, who must otherwise have starved during the

larly, believes in the probability of ultimate success, and all we can expect from His Majesty's Government is, that if they should see it fit to sanction and encourage his Lordship's undertaking, they will take adequate measures to protect the Trade of His Majesty's Subjects against the consequences apprehended from it.

We have the Honour to be,

SIR,

Your most obedient Servants,

M'TAVISH, FRASER, & Co.
INGLIS, ELLICE, & Co.

No. XXV.

(Copy.)

London, 29th May, 1815.

Henry Goulburn, Esq.

SIR,

WITH reference to the important subject on which we had the honour to address you on the 18th March. we again find ourselves under the necessity of drawing the attention of His Majesty's Government to the extraordinary Proceedings of the Earl of Selkirk and the Hudson's Bay Company, and particularly to the assumption of power attempted by Resolutions proposed to, and adopted by the General Court of Proprietors of that Company, on the 19th instant, of which we understand a copy has been transmitted to Earl Bathurst.

An apprehension of the dreadful consequences which can scarcely fail to attend the exercise of that power, induces us, as representing in this country the different Canadian Merchants interested in the Fur Trade from Montreal, to request you will lay before his Lordship the following Representation in their behalf.

The territorial rights of the Hudson's Bay Company have never been defined, and although they now claim as their exclusive property, all lands watered by rivers which

In their course fall into the Bay, the greater part of the country which would be included in that description, was, previous to the partial occupancy, or even to the discovery of it by their traders or servants, in the actual possession of the then French Colonists in Canada (some part as early as the year 1727); and subsequently to the conquest of that country by Great Britain, has continued in possession of Canadian Traders who now occupy it, deriving their right uninterruptedly from their French predecessors by the formal cession of Canada in 1761. Four fifths of the whole trade arising from what is called the North-West Country, (the boundaries of which may be defined by Lake Superior to the South and East, the Mississippi and Missouri Rivers to the South, the Rocky Mountains to the West, and Hudson's Bay and the Frozen Ocean to the North and East, and all which country would be included in the claim of the Hudson's Bay Company, as now contended for by them) has been for nearly a whole century carried on by Canadian Subjects; and in all instances where the Hudson's Bay Company have extended their establishments beyond the coasts of the Bay, it has been by following the discoveries of the Canadians in the interior, and forming posts where the others have preceded them. The only posts to which they can claim the right of original possession, are their establishments on the sea shores of the Bay; and these, if an investigation were to take place, it would be probably decided, are the only situations over which their exclusive privileges could be construed to extend.

Supposing, however, that the Company acquired by their Charter exclusive territorial and commercial rights in all countries which they claim to belong to them, and their definition of which is before stated; those rights and privileges must have long since virtually ceased by the disuse of that Charter, and by the non-fulfilment on the part of the Company of the terms on which it was originally granted; and the claims of Territorial Jurisdiction avowed in the Resolutions of the Court of Proprietors. would probably not now have been brought forward, had it not been for the circumstances already detailed in our Letter of 18th March.

But since the Earl of Selkirk's interference in the affairs of the Company, these dormant and obsolete rights have been scrutinized with the greatest industry, in order, as it appears to us, that an engine might be invented for the effectual oppression and ruin of his Lordship's rivals in trade; and for the promotion of those schemes of monopoly and

colonization, which, if success in them was not absolutely impracticable, could alone prosper by the destruction of the Canadian trade.

It is intended in pursuance of the Resolutions, to appoint Dependants of Lord Selkirk and the Hudson's Bay Company, both Judges and Juries in causes between themselves and their opponents. These Judges and Juries so appointed and selected, are to administer impartial justice in causes where their immediate interests must be always in question, and where between the parties there must necessarily exist a certain state of rivalry and animosity. The Canadian Defendants in these suits have never hitherto acknowledged the jurisdiction of their opponents, and will not now feel more disposed, from the violence of these measures, to respect its authority. The natural consequence of attempting to enforce by the Sheriffs a verdict obtained from such a Court, will be resistance by arms upon the plea of self-defence; and each individual will conceive himself entitled to defend his person and property against what he considers incompetent and illegal authority. These disputes must end in bloodshed, and the scene will be in many instances from one to three thousand miles from the residence of the Chief Governor of the Hudson's Bay Company, in a country where the strong must prevail against the weak, and where it would scarcely be practicable even to enforce the due execution of acknowledged law.

The Hudson's Bay Company, in making appointments under the present Resolutions, appear also to have in view those persons for carrying their objects into effect, who may do so with the greatest rigour, and whose conduct and character may not entitle them to a respect which the appointment should create. If authority of so grave a nature could be legally exercised, probably it might be safe in the hands of such a respectable person as Mr. Semple, nominated Governor in Chief of Rupert's Land, although he still must have in view the interests of his employers; but it scarcely could have been believed, that the Directors should appoint Mr. Miles Mac Donell one of the Chief Governors and Judges, who has hitherto shown himself a most violent partizan in the country, and not over scrupulous in the means he has employed to promote the objects of his patron Lord Selkirk. The persons appointed Counsellors and Sheriffs are of a description perfectly unfit for those situations; possibly they may be able to read and write, but beyond those qualifications, they can possess none fitting them for such

trusts, or to have power such as the Resolutions of the Hudson's Bay Company would invest them with, over the lives and properties of their fellow subjects.

From Lord Selkirk's acquisition of the majority of votes, the Hudson's Bay Company may be said to center in one individual. The Governor and Court are merely his agents, and the remaining Proprietors, bound by the sense of the majority, can make no opposition. Without intending the slightest imputation on the Directors, they can have only the option of resignation, in the event of difference of opinion with his Lordship, and the re-election of their successors must depend solely upon his decision. In this manner his Lordship has acquired the immense grant of land before stated, and no attempt till the present one, has ever been before made to take advantage of the supposed Territorial Rights under this Charter. We humbly conceive, therefore, that before a title can be secured by length of possession, it ought to be made the subject of enquiry by His Majesty's Government, and directions given to the Attorney-General to eject his Lordship from the occupancy of the land in question at the suit of the Crown, to whom it can alone belong.

It is unnecessary to add any remarks on the manifest partiality and injustice that must accrue from a jurisdiction so constituted as the one now sought to be established, or further to detail the serious evil consequences that must ensue from it. We have only therefore to beg, you will be pleased to represent to Earl Bathurst the situation in which the Canadian Traders and their Servants (to the number of probably 2000 persons, the greatest part of whom have been for the last thirty years, and are now actually resident and trading in the Territories over which the jurisdiction is claimed to extend) will be placed by the operation of this proceeding of the Hudson's Bay Company, and to pray on their behalf the interference of His Majesty's Government, to prevent the exercise and consequent abuse of this assumed judicial power. We do not deny that violences have been occasionally committed on both sides, and to show that we have some better proof in our possession than that adduced by Lord Selkirk against the Servants of the North-West Company, in his Letter to the Governor of the Hudson's Bay Company, transmitted by them to Lord Bathurst, and by you to us in your Letter of the 2d March, we inclose a Copy of Instructions from Lord Selkirk, of which we possess the original, to one of the Servants of the Hudson's Bay Company, from some parts of which it will appear that his Lordship supposes the Clause in the Charter, authorizing

the Company to make war, and "right and recompense" themselves by hostilities against any persons interrupting or injuring them in their trade within the territories and limits of their Charter, as effectual for his purposes as the authority under which he now seeks to establish his jurisdiction. His Lordship's intentions indeed appear in the present proceeding more favourable towards the Canadian Traders: it is now proposed, first to obtain a verdict from his Dependants and Servants, before the property of his rivals is seized and destroyed; whereas, in the Letter inclosed, his Lordship directs seizure and destruction upon the sole assertion, that the Territory of the Hudson's Bay Company had been violated by mere occupation, which in this particular instance relates to a country where the Canadians have been settled for thirty years, and where the Hudson's Bay Company had never formed an establishment.

Before the undertaking of his Lordship, the disputes alluded to were of perpetual occurrence, but they were never of much consequence, and subsided nearly as soon as they arose. Complaints were made from and of both parties, and before they were enquired into, the causes had generally ceased. These disputes certainly too, occasionally led to the commission of crimes, to restrain which, the Act of the 43rd of the King was passed, and which having been put in force by the trial of offenders at Montreal, has had a proportionate effect.

His Lordship's attempt to colonize Assiniboin has also led to more serious difficulties (we allude to the jealousy of the Indian Tribes, as well as to the distresses of the Colonists), and these would probably attend the next attempt of the same nature his Lordship may think it equally prudent to make, either in the interior of Africa or of America. Such difficulties are always attendant on similar undertakings, and form part of the risk of them. We beg, however, to assure Lord Bathurst, that we should be too happy, if a feasible plan to restrain violences could be pointed out by the Hudson's Bay Company, to concur with them in it, but this has only appeared possible to us by placing those Territories under the jurisdiction of the Canadian Courts, to which they in fact properly belong, and where an equitable administration of justice is secured to all parties. Perhaps a Charter of Justice from the Crown might be resorted to, but whether it is fair to call upon the Public to bear the expence, and whether the same difficulty which is experienced in remote Provinces, of finding competent persons to superintend the administration of Justice, might not still more

forcibly apply to the interior of North America, are points of which His Majesty's Government in their wisdom will readily determine.

We have the Honour to be, &c.

(Signed)

M'TAVISH, FRASER, & Co.
INGLIS, ELLICE, & Co.

No. XXVI.

London, 1st Feb. 1816.

Henry Goulburn, Esq.

SIR,

HOWEVER unwilling we feel again to trouble you on the subject of the conflicting claims of the Canadian Traders, and the Hudson's Bay Company and the Earl of Selkirk, we find ourselves compelled by the following circumstances, which we beg you will lay before Earl Bathurst, to entreat the interference of His Majesty's Government, that some measures may be taken, at least to prevent the recurrence of these scenes of violence and animosity, which have unfortunately taken place, and which have terminated, as we predicted in our Letter of the 29th May, 1815, would be the case, in more instances than one, in bloodshed, and the loss of lives.

We had hoped this dispute was in a fair train of judicial decision, by the trial of Lord Selkirk's Governor and Sheriff, who were committed in Canada for seizing and confiscating the property of the Canadians; but it now appears (although a True Bill for Larceny has been returned against them by the Grand Jury of Montreal) from the best Legal Opinions in this Country, it will be impossible to proceed further, as the Defendants evidently acted under a misapprehension of authority, and no sufficient proof can be adduced of a felonious intent. We have therefore lost no time in writing to Canada to drop these proceedings, and it is not in our power to substitute in their place any action for damages, as the Act under which their trials might otherwise have been conducted, confines the jurisdiction of the Courts in Canada over the Indian Countries, to criminal cases.

The Legal Opinions we have taken upon the whole subject in this Country, are quite decided as to most of the powers granted by the Charter to the Hudson's Bay Company, and especially those under which the Company claim to seize persons and confiscate property; they also leave no doubt as to the invalidity of the Grant to Lord Selkirk, or to the extension of any grant or power purporting to be made by the Charter, beyond the immediate confines of the Bay. We would willingly, were it in our power, institute any process in this Country, by which the question could be decided, but we are advised it would be scarcely practicable, and if at all so, not in any way from which an immediate or satisfactory decision could be expected, and it is not till we have perfectly ascertained the difficulties in our way, that we have considered ourselves again justified in intruding the subject on His Majesty's Government.

Although we are not disposed to trouble you with any detail on the part of the North-West Company, in answer to the allegations we understand to be adduced by Lord Selkirk, and the Governor and Directors of the Hudson's Bay Company, respecting the conduct of the Canadian Traders in the Interior, during last winter, we cannot omit the opportunity of stating, that we are ready, whenever we may be called upon for that purpose to bring forward satisfactory proof of the justice of their proceedings, and that if they have been called upon to defend their persons and property, against attempts repeatedly made upon both, under the plea of rights contained in this extraordinary Charter, they have not done so without due regard to the acknowledged Laws of their Country.

We do not presume to point out the particular proceeding which in this case would be satisfactory to ourselves: our sole object is to put an end to violences and bloodshed; and we are perfectly satisfied that in the discussion which such proceedings must give rise to, the interests of His Majesty's Canadian Subjects will at least meet with as favourable consideration from His Majesty's Government, as those of their opponents.

We have the Honour to be, &c.

(Signed)

M^cTAVISH, FRASER, & Co,
INGLIS, ELLICE, & Co.

No. XXVII.

(Copy.)

*London, 1st March, 1816.**Henry Goulbarn, Esq.*

SIR,

WE are unwilling, so soon after our application of the 1st ult. to intrude again, upon the subject of the Hudson's Bay Company and Earl Selkirk's proceedings in Canada, but the last accounts from that country are of so alarming a nature, and the season is so far advanced, that we trust you will excuse us for entreating the immediate interference of His Majesty's Government, that some measures may be taken, not only to prevent the recurrence of the scenes which have already taken place in the interior, but the threatened commission of still greater violences, under the newly assumed powers of the Hudson's Bay Company.

To aid these further, his Lordship has now been appointed Justice of Peace to act in the Indian Country, under the provisions of the 43rd of the King, and has actually engaged 300 voyageurs in Montreal, to accompany him to the interior on the opening of the navigation, equally to oppose the trade of the Canadians, and we suppose to assist as Constables, in the execution of such legal acts as in his judgment may be applied, with the same intent, and with the best hopes of success, from either of the authorities with which he is now armed.

We do not venture to suggest the remedy which it may be in their power, or appear eligible to His Majesty's Government to provide in this case, but we are certain if some measure is not adopted to define, without delay, the limits, power, and authority of the Hudson's Bay Company, a contest will ensue in the interior, the results of which will be dreadful, both with respect to loss of lives and property.

We take the opportunity of inclosing for your perusal, although, indeed, after all the trouble we have given you on this subject, we can scarcely request your attention to it,

copies of a Correspondence which has passed in Canada between Lord Selkirk and the North-West Company.—The latter have offered in it, as you will see, to give up one whole third of the Trade, for the sake of peace, which is double the amount ever before possessed by the Hudson's Bay Company, or to divide the country by a fair arrangement, calculated upon the returns of both parties. Both these offers are rejected, and from the manner in which the correspondence is conducted on his Lordship's part, it is apparent that no hope of reconciliation in that country is left. We therefore trust, we may find an excuse with you, from the urgency of the case, in repeating our application on the subject.

We have the Honour to be,

SIR,

Your most obedient Servants,

(Signed)

M'TAVISH, FRASER, & Co.

INGLIS, ELLICE, & Co.

No. XXVIII.

Deposition of Daniel Mackenzie.

DANIEL MACKENZIE, a retired or dormant Partner of the North-West Company, according to the constitution and terms of Partnership thereof, being present at Notawasaga, in the Province of Upper Canada, maketh oath, and (after detailing the capture of Fort William by the foreign soldiers in the employment of the Earl of Selkirk, together with the arrest of the Partners, and the seizure of the Papers and Property belonging to the North-West Company, according to the accounts previously given) further saith, That on or about the eighteenth day of August last past, being the day on which William M'Gillivray, John M'Laughlin, Allan Macdonell, Simon Fraser, John M'Donald, Hugh

McGillis, Kenneth Mackenzie, and Alexander Mackenzie, were sent off as prisoners from Fort William, he this Deponent was extremely desirous of accompanying them, and accordingly made several applications to the said Earl of Selkirk for that purpose, who, however, refused such request, and ordered this Deponent to be detained, which was accordingly done, and the Deponent was confined for several days afterwards a close prisoner in his own room in Fort William aforesaid—That some days afterwards one M'Pherson, who is in the employ of the said Earl of Selkirk, came into this Deponent's room, and searched his trunk, by order, as the said M'Pherson stated, of the said Earl, for the purpose of seeing whether the Deponent had any more papers; and that some days afterwards this Deponent was, by order of the said Earl, confined a close prisoner in a prison at Fort William aforesaid, which was erected as a common prison for the adjacent parts of the Indian Territory, sometime after the first establishment of the Magistracy for these Territories, where the Deponent was kept in the dark, except as to such light as pervaded the chinks in the building, there being no window in the dungeon in which he was so confined—That whilst this Deponent was so confined in the said dungeon, the said M'Pherson, Miles Macdonell, a Dr. Allan, who was also in the employ of the said Earl, and some others, came frequently to him, to persuade him to submit himself in all respects to the said Earl, and to yield obedience to whatever he might direct, telling the Deponent, that the evidence against him with regard to the destruction of the Settlement of the Red River was very strong; that it would be a very serious business for the Deponent; that the other Partners of the North-West Company were utterly ruined, and would certainly suffer, and that it was a folly for the Deponent to sacrifice himself and his family for persons who did not care for him, and incessantly using other represen-

tations of the same kind, tending to induce the Deponent to yield the most implicit submission and obedience to whatever they or his Lordship might dictate; and that the Deponent being at length wearied out with the hardship of his confinement and their importunities, and having expressed to the said Captain D'Orsonnens a disposition to conform himself to their advice in case he was released from the said dungeon, the Deponent was removed therefrom into another building at Fort William aforesaid, where he was still kept confined a close prisoner under a guard—That from the time of the Deponent's being so removed from the said dungeon, impressed as his mind was with the hardships he had suffered, the danger in which he imagined his life was, and the constant suggestions and importunities of those around him, he did accordingly yield implicit submission and obedience to whatever they dictated, being frequently also in a state of intoxication, and accordingly for a period of six weeks or thereabouts next following, was in the habit of writing whatever letters or other papers were dictated to him—That the said Miles Macdonell was very frequently with the Deponent, to induce him to write or sign different papers, sometimes dictating to him verbally, and making the Deponent write what he so dictated, and at other times bringing him drafts of letters or papers, for the Deponent to copy in his own hand-writing—That amongst various papers which were delivered to the said Deponent by the said Miles Macdonell, the paper-writing hereunto annexed, marked A, is one, the first side whereof is wholly in the hand-writing of the said Miles Macdonell, the former part thereof being a representation made to the Deponent by the said Miles Macdonell, and the latter part thereof a draft of a letter which was afterwards written by the said Miles Macdonell, to be copied and signed by the Deponent as a letter from him to the said Earl of Selkirk, and which was accordingly copied and

signed by the Deponent, and delivered, as he believes, to the said Earl—That the paper-writing hereunto annexed, marked B, was originally written during the same period of the Deponent's imprisonment, subsequent to his release from the said dungeon at Fort William *aforesaid*, by him, this Deponent, from the verbal dictation of the said Miles Macdonell, who afterwards perused and corrected the same, and accordingly made the several interlineations and alterations appearing to have been made therein in the proper hand-writing of him the said Miles Macdonell, and directed this Deponent to copy the same as so altered, which the Deponent accordingly did: And that the Paper-writing hereunto annexed, marked C, is accordingly one of the first Copies thereof so made by this Deponent, by the direction of the said Miles Macdonell, which said last-mentioned Paper, marked C, having been again corrected by the said Miles Macdonell, as now appears upon the face thereof, was ultimately again copied by this Deponent by his direction, and signed by the Deponent; and afterwards, as the Deponent believes, transmitted to Mr. Cuthbert Grant by the said Earl of Selkirk, the said Miles Macdonell having informed the Deponent that the said Earl was very well pleased with it, or to that or the like effect—That upon one of the visits which the said Miles Macdonell made to the Deponent during the latter part of his said imprisonment, the said Miles Macdonell informed him one day, that it was the request of the said Earl, that he this Deponent should write a letter to his namesake at Nipigon, (meaning one Roderick Mackenzie, who was then in charge of the Post there), advising him to keep back the packs in his possession, as an indemnification for whatever the Company might be indebted to him, as they were quite ruined, and that perhaps he might find a passage for them by the way of the Hudson's Bay, but which Letter the Deponent believes he never did in fact write—That on or about the eleventh

day of October now last past, the said Earl of Selkirk came to the Deponent, having provided a canoe at Fort William aforesaid for that purpose, and ordered the Deponent to embark for Montreal, asking him at the same time, *whether he had written a circular letter to the Clerks and Partners of the North-West Company in the interior, to the same purport as the one which he had been desired to write to his namesake; and upon the Deponent answering in the negative, replied, that the Deponent should give the said Miles Macdonell their names, and that he should write to them in the name of the Deponent, or to that or the like effect—*And the Deponent, Daniel Mackenzie, for himself further saith, that the three several Paper-writings hereunto annexed, marked D, E, and F, were also some of the papers which were so delivered by the said Miles Macdonell to this Deponent, during the period of such his imprisonment at Fort William, as hereinbefore mentioned; the said Paper-writing marked D, being in the hand-writing of the said Miles Macdonell, and the said two Paper-writings marked E, and F, being, as this Deponent believes, *in the hand-writing of the said Earl of Selkirk; the two said several Paper-writings marked D, and E, being drafts of papers, which the said Earl and the said Miles Macdonell required this Deponent to copy, and address to the said Earl—*That on or about the nineteenth day of September, now last past, and whilst this Deponent remained a prisoner at Fort William as aforesaid, he this Deponent, *by the direction of the said Earl of Selkirk, and the said Miles Macdonell, and other persons in his employment, signed and executed several papers, of some of which the four several Paper-writings hereunto annexed, marked respectively, G, H, I, and K, are, as the Deponent believes, respectively true copies, the same being respectively copied from papers now in the possession of the Deponent, which he believes to be Duplicates of four*

of the said papers 'so signed and executed by him, &c. said said four several last-mentioned Papers so signed and executed by the Deponent, are at present, as the Deponent believes, in the possession of the said Earl of Selkirk—And the said Deponent, *Daniel Mackenzie*, for himself further saith, that having at length, in consequence of such his implicit obedience and submission to all the orders and commands of the said Earl of Selkirk and the persons in his employ, been ultimately discharged from such his imprisonment at Fort William aforesaid, and feeling great regret and compunction at his having been so compelled to execute Papers which might possibly be so highly detrimental to the interests not only of the Deponent, but of the other Partners of the said North-West Company, the Deponent, on his arrival at Drummond's Island, which was the nearest place to Fort William aforesaid, at which any Notary-Public resided, went, on or about the eleventh day of November now last past, before Mr. James Gruet, a Notary-Public, and David Mitchell, Esq. a Justice of the Peace, both resident there, and in their presence made and subscribed the Protest or Paper hereunto annexed, marked L, and that the representations therein contained, with regard to the influence under which this Deponent was induced to execute the several Instruments or other Paper-writings therein mentioned, are in all respects true—And the said last-mentioned Deponent, Daniel Mackenzie, for himself further saith, that during one of the conversations which took place between him this Deponent and the said Miles Macdonell, during the time whilst this Deponent was so detained as a prisoner at Fort William aforesaid, during the month of September now last past, the Deponent one day asked the said Miles Macdonell, whether it was possible that the Earl of Selkirk intended to ruin all the Partners in the North-West Company? who replied, No, only the Heads of them, such as Mr. William

McGillivray, Sir Alexander Mackenzie, and the Great Men at home connected with the Company; and that amongst others, Mr. Richardson must fall; but that the Deponent had nothing to fear—And the said Deponent further saith, that during the period of his said imprisonment at Fort William as aforesaid, amongst other inducements which were holden out to the Deponent to yield obedience to the commands of the said Earl of Selkirk, the said Captain D'Orsonnens came to the Deponent one day, and told him, that if he would follow his Lordship's fortunes, he would give him a Township of ten thousand acres of land, provided he would procure four persons to settle upon it, and that he might live happily upon it with his family—And the said last-mentioned Deponent for himself further saith, that the whole of the said Establishment called Fort William, with its appurtenances, and all the Furs and Merchandizes whatsoever in or about the same, of the value, as the Deponent supposes, of from One to Two Hundred Thousand Pounds sterling, are at present, as the Deponent verily believes, in the sole possession of the said Earl of Selkirk.

(Signed) DANIEL MCKENZIE

Sworn at Notawasaga, in the
Province of Upper Canada,
this 2d December, 1816,
before us,

W. B. COLTMAN.

J. FLETCHER.

(A)

[The Reader is requested to observe, that the words printed within crochets [] were struck through with a pen in the MS.; and that the words printed in *Italics*, are in the hand-writing of Mr. Miles Macdonell.]

1st, [You *D. M. K.* as one of the Partners, represent the *N. W. Co.* here at present, and being the only one, can act

for them and yourself, the]. All the Company's stores and property here are at your disposal, and your sale of them is legal. By this, you can secure to yourself all the money which the Concern owes you, and keep the overplus in your hands, until a legal demand be made on you to pay to those who may be entitled to receive the same. You cannot only legally dispose of the goods, and other loose property here, but you may sell the buildings, with the soil on which they are built, provided you can find a purchaser.

I have been thinking that, as a Partner of the N. W. Co. and the only one here at present, that I can act for them and myself; that all the Company's stores and property here are at my disposal; that my sale of them is legal, by which I can secure to myself all the money which the Concern owes me, and keep the overplus in my hands until a legal demand be made upon me to pay to those who may be entitled to receive the same; that I can not only dispose of the goods, and other loose property there, but may also sell all the buildings, with the soil on which they are built, provided I can find a purchaser.

The provisions purchased at Mackinac

I have been thinking, that, as a Partner of the North-West Co., and the only one here at present, that I can act for them and myself, and that all the Company's stores and property here are at my disposal [property in Land].

That my sale of them is legal, by which I can secure to myself all the money which the Concern owes me, and keep the overplus in my hands, until a legal demand be made upon me to pay those who may be entitled to receive the same; that I cannot only dispose of the goods, and other loose property here, but may also sell the buildings, with the soil on which they are built, provided I can find a purchaser.

[The Reader is requested to observe, that in the following Documents, B, and C, the words printed within crotchets [] were struck through with a pen in the MS.; and that the words printed in *Italics*, are Interlineations in the hand-writing of Mr. Miles Macdonell, substituted for the words struck out.]

(B)

Fort William, on Lake Superior, Sept. 1816.

Dear [Roderic] Sir,

By a canoe that returned from near the Mountain Portage, you must have heard of the events that have taken place here. Mr. M'Gillivray, and all the Partners [that were here] including myself, were made prisoners. All the Gentlemen are sent down prisoners, to take their trial at York, U. C. as aiding, abetting, and instigating to murder. I only am detained here. The dreadful massacre that has taken place in Red River, is the principal cause of all this. The N. W. Co. is ruined beyond a hope, the packs will not go down, nor will goods be permitted to enter, the interior of the Red River being declared in a state of rebellion. Lord Selkirk [who is here now] may soften matters in your favour, provided you will make a submission in time, and honestly own all that you know about the instigators of this horrid affair. [I have his Lordship's command to tell you so, and I would advise you], *I have heard as much, though not direct from his Lordship, and I would advise you, as your own, and the friend of your deceased father, to [submit to his Lordship's pleasure] come forward immediately with some proposal, to save yourself and the unfortunate half-breeds who were guilty of such enormities.* You should also explain to those deluded [half-breeds] young men, whom you may save, that it was the ambition of others that has [ruined] rendered us all miserable: this is the real truth. *I am happy to learn that you endeavoured to save Gov. Semple's life: this is much in your favour.* I have told his Lordship all that I knew, or could recollect. There is a

Proclamation by His Excellency Sir J. C. Sherbrooke, to detect all those guilty of offences committed in the Indian Countries. I do not yet know what his Lordship intends to do with myself: the only advice I have to give you is, to submit. *By Letters and other Papers found here, too ample proofs are against us, of the part we have been blindly led to take in the destruction of the Colony on Red R*

(C)

Mr. Cuthbert Grant.

Dear Sir,

By a canoe that returned to the interior from near the Mountain Portage, you must have heard of the events which have taken place here. Mr. M'Gillivray, and all the Partners [including myself] were made prisoners; all the Gentlemen are sent down prisoners, *under a strong guard*, to take their trial at York, Upper Canada, as aiding, abetting, and instigating to murder—I only am detained, waiting Lord Selkirk's pleasure for my disposal. The massacre that has taken place this year in Red River, is the principal cause of all this. The North-West Company is ruined beyond a hope; our packs are not to be sent down, nor will goods be permitted to go into the interior, the Red River Department being declared in a state of rebellion. *By the evidence of many of our own men, strengthened by that of Letters and other Papers found here, too ample proofs I fear are against us, of the part we have been blindly led to take, in the destruction of the Red River Settlement.* Lord Selkirk may perhaps soften matters in your favor, provided you make your submission in time, and honestly own all you know about the instigators of this horrid affair. *I have heard as much, though not direct from his Lordship; and as the friend of yourself and your respected deceased father, I would advise you to come forward immediately with some proposal, to save yourself and the unfortunate half-breeds who [are] were guilty of such enormities; you should also mention the names of the*

men, whom you may see, that it was the ambition of others which has rendered us all miserable [(I mention no names). I am happy to learn, as reported here, that you endeavoured to save the life of Gov. Semple : this of course is much in your favour.]

I inclose you the Governor-General's Proclamation, lately received here, several copies of which have been sent enclosed from head-quarters to every Magistrate for the Indian Territories. I also enclose you a copy of Law Opinions taken in England, on the H. B. Charter, and [also the Law] *the Opinions of the best-informed Lawyers* in Lower Canada, to shew you what small chance we have to go to law, even in the Courts of Canada, as were always held out to us by people who thought themselves wiser than we are.

(D)

[The Original of this Document is wholly in the hand-writing of Mr. Miles Macdonell.]

In the name of the North-West Company, I hereby authorize your Lordship to take possession of the Furs at this Post packed up for exportation ; and consisting of packs marked NW, and numbered from to 1175 ; and packs marked A, and numbered from 1 to ; and also 23 bags of castorum, all of which I hereby sell to your Lordship for the sum of One Hundred Pounds lawful money of Great Britain, but under the following condition, viz. That if my Partners acquiesce in the submission for referring to Arbitration the differences between your Lordship and the North-West Co. for consigning those Furs to the Arbitrators, then this sale to be null and void, and your Lordship shall in pursuance of our agreement, consign these Furs to some respectable Mercantile House in London, to be held at the disposal of the Arbitrators, who may be nominated by the Chief Justices of the Courts of

King's Bench and Common Pleas at Westminster, according to the submission.

I have

signed, sealed, and delivered
in presence of
no Stamps being required in this
Province.

Nineteenth.

(E)

[The Original of this and the following Document, are wholly in the handwriting of the Earl of Selkirk.]

I hereby agree to sell you the Cattle belonging to the N. W. Co. at Lake La Pluie, and in Fond du Lac, at the prices affixed to the same in the last Inventories; or if these cannot be found, at the prices affixed to Cattle of the same ages and descriptions in the Fort William Inventory of this year.

(F)

For the Agreement suggested by Captain Macdonell, the following Papers will be requisite :

1. Submission—referring to Arbiters all differences (of a pecuniary nature) between the E. of S. and the N. W. Co., and binding both parties to pay any sum awarded against them on account of damages arising from the acts of their Agents, Servants, &c. &c. Award to be made within three years of this date at *furthest*.

2. Agreement—That the Furs now at Fort William shall be consigned to the Arbiters, and that the E. of S. shall vest in them an estate of equal value, both to remain in the hands of the Arbiters till their final Award.

3. Indenture of Bargain and Sale of the Goods and Chat-

tels (Furs excepted) now at Fort William, at cost and charges. Payment to be made within a year after the Award of the Arbiters.

4. Schedule or Inventory, and Valuation of the Goods and Chattels sold and delivered in pursuance of the above bargain.

5. Indenture of Bargain and Sale of the Fort, and Tenements adjacent, for a fixed price.

6. Bond by the said E. of S. for the price, payable after the Awards of the Arbiters.

Note.—The Documents G, H, I, and K, being only a repetition of the foregoing Drafts, D, E, and F, extended into formal Agreements, it is deemed unnecessary to insert them.

(L)

I, Daniel Mackenzie, Esquire, a retired Partner of the Firm of the North-West Company, having been detained a prisoner at Fort William by Lord Selkirk's orders, from the 13th August to the 11th October, 1816, during all which time I was in a state of inebriety and actual derangement of mind, did, by the persuasion of Lord Selkirk and his Agents, sign certain Papers and Instruments of Writing, purporting to be a Sale of Goods, Packs of Furs, Vessel on the Stocks, and Indenture of Agreement to leave to Arbitration, certain disputes and differences between his Lordship and the North-West Company, and a Letter to the Interior, stating that the North-West Company were ruined, &c. &c., *all which Papers were dictated by his Lordship and his Agents*;—therefore, from the causes above, the dread of a long imprisonment, and in hopes of obtaining my liberty, I did sign the said Papers, although unauthorized so to do :

Therefore I do by these Presents, now that I have my liberty, *solemnly protest against all acts done by me during the period above stated.*

In witness whereof, I have signed and sealed these Presents, at Drummond's Island, this 11th of November, A. D. 1816.

(Signed) DANIEL MACKENZIE.

Signed and sealed in the
presence of

Js. GRUET, Notv. Publ.

D. MITCHELL, J. P.

WILLIAM SMITH, Witness.

No. XXIX.

Deposition of Robert M'Robb.

ROBERT M'ROBB, of the City of Montreal, in the Province of Lower Canada, maketh oath and saith, That he was present at Fort William, on the River Kaministiquiâ, at the time of the capture thereof by the forces under the command of the Earl of Selkirk, on or about the thirteenth day of August now last past, and has a knowledge of the general circumstances of that affair, and which took place at Fort William aforesaid from that time to the period when the Deponent left the same for Montreal, which was on or about the third day of September following; that the Deponent recollects, amongst other things, that Daniel Mackenzie, one of the Partners in the North-West Company, was during that interval imprisoned for several days, by order of the said Earl of Selkirk, in a building belonging to Fort William aforesaid, in which there is no window, and was afterwards confined to a room under the charge of a Sentry, in which latter situation the Deponent left him at the period of this Deponent's quitting the Fort; and that one Miles Macdonell, and others in the employment of the said Earl of Selkirk, were, during such imprisonment of the said Daniel Mackenzie, frequently in his company; but that the Deponent does not know what passed between them—And this Deponent further saith, that he left Montreal on or about the fourth day of October now last past,

in company with Pierre De Rocheblave, one of the Partners of the said North-West Company, for the purpose of proceeding to Fort William aforesaid, to take possession thereof, and of the stores at that place, which were then in the possession of the said Earl of Selkirk, in case of their procuring any legal compulsory Process or Order from the Government for that purpose, which Process or Order would, as the Deponent understood, be endeavoured to be procured by some other persons belonging to the said North-West Company, who were gone to York or Sandwich for that purpose, and with which, if so obtained, they were afterwards to join the said De Rocheblave and the Deponent at Sault St. Marie's, on their way to Fort William; that the said De Rocheblave and the Deponent, with their party, arrived at Sault St. Marie's aforesaid on or about the nineteenth day of the said month of October, where the Deponent remained with the said De Rocheblave, in expectation of the said other persons who were to join them with such Process or Order from York or Sandwich, until the twenty-sixth or twenty-seventh day of the said month; at which time the said Deponent left Sault St. Marie's aforesaid, in order to proceed to Fort William, leaving the said De Rocheblave still at Sault St. Marie's, the said other persons who were to bring such Process or Order, not being then arrived—And this Deponent further saith, that during his stay at Sault St. Marie's, one Robinson, who was, as the Deponent understood, a constable, or public officer of some such description, arrived at Sault St. Marie's from York, with some Process, which he was, as the Deponent also understood, to serve on the Earl of Selkirk at Fort William, and which was, as the Deponent believes, a Writ of *Habeas Corpus* for the said Daniel Mackenzie; and that there was also, during such the Deponent's stay at Sault St. Marie's, a Warrant issued by David Mitchell, Esquire, who is, as the Deponent believes, one of His Majesty's Justices of the Peace for the Western District of Upper Canada, against the said Earl of Selkirk, and several other persons, either for Felony, or some other offence supposed to have been committed by them, in relation to their having so seized and taken possession of Fort William and the property therein, and which Warrant, it was also intended, should be executed by the said Robinson, on his arrival at Fort William—That the Deponent accordingly left Sault St. Marie's on or about the said twenty-sixth or twenty-seventh day of October, in company with the said Robinson, and one John Duncan Campbell, a Partner of the said

North-West Company, (whom they were to leave at the Pic, on their way up), for the purpose of serving such *Habeas Corpus*, and executing such Warrant, but without any force to compel obedience thereto, *having with them* only the crew of the canoe in which they travelled, consisting of twelve Canadians and themselves, the three before-mentioned passengers; that after leaving the said Mr. Campbell at the Pic aforesaid, and taking in his stead Mr. John M'Bean, another Partner of the said North-West Company, they accordingly proceeded to Fort William aforesaid, where they arrived about three o'clock in the afternoon of the seventh day of November now last past—And this Deponent further saith, that on their so arriving at Fort William, he this Deponent, immediately upon their landing, accompanied the said Robinson to the house in the said Fort, occupied by the said Earl of Selkirk, where the said Robinson going into the room in which the said Earl there was, arrested him, as the Deponent believes, in the King's name, under and by virtue of the said Warrant; and having committed him to the custody of Mr. John Warren Dease, another Clerk of the said North-West Company, who was then near the said house, by commanding the said Dease to go in, and take charge of the Prisoner; and immediately afterwards proceeded to arrest one Captain Matthey, and one John M'Nabb, who were then in other houses within the said Fort, and whose names were, as the Deponent believes, also included in the said Warrant—And this Deponent saith, that in the evening of the same day, whilst the Deponent, together with the said Robinson and the said John Warren Dease, were in a room called the Council-room, belonging to the said Fort, the said Captain Matthey came to them, and told them that the Earl of Selkirk had sent him to order them all out of the house, but that as it was a stormy night, his Lordship would permit them to remain in one of the summer-houses, in which there was no fire, during that night; to which the Deponent and the others, having stated to the said Captain Matthey, that they were determined not to quit the house, unless they were forcibly compelled so to do, and that they conceived that he, the said Captain Matthey, being himself legally a prisoner, could have no orders to give them which they ought to obey; the said Captain Matthey replied, that he should then make use of the means in his power, to enforce obedience to his orders, and immediately left them for the present—That about eight o'clock the same evening, the said Captain Matthey returned into

the room where the Deponent, the said Robinson, and Dease were, bringing in with him seven armed men in the uniform of the late regiment De Meuron, all of them having muskets or fusils, and four of them bayonets fixed, and which armed men the said Captain Matthey accordingly placed as a guard over the Deponent, the said Robinson, and the said John M'Bean, who had also come ashore with them, and that they all three remained under guard, and, as the Deponent conceives, in the charge and custody, or under the superintendence of the said armed men and others in the same uniform, who were from time to time sent to relieve them, until the Saturday following, being the ninth day of the said month of November, at which time the Deponent left the Fort to return to St. Marie's.—That on Friday the eighth day of the said month of November, during the Deponent's stay at Fort William as aforesaid, the Deponent and his party being in want of provisions, he the said Deponent told the said Earl of Selkirk, that he understood that the said Earl was in possession of the keys of the North-West Company's stores, and requested that he would deliver them, or direct that they should be delivered to the Deponent, or give orders that the Deponent and his party should be supplied with such articles out of the stores as they had occasion for; but which the said Earl refused, saying that *he supposed the Deponent must be aware that the North-West Company had no stores there, or somewhat to that or the like effect; that the Deponent thereupon told the said Earl, that he the Deponent had heard of some transaction having taken place between him and the said Daniel Mackenzie, but that he did not conceive that any sale could be valid that was made by a person who was a prisoner at the time, and who had been confined in the common gaol, and kept in a continual state of intoxication; that the said Earl thereupon answered, that the Deponent was totally misinformed as to the facts; to which the Deponent replied, that he had himself been an eye witness of the said Daniel Mackenzie's confinement, and of the state in which he was always kept, until the time of the Deponent's leaving the Fort; whereupon the said Earl said, that it was not to the Deponent that he had to answer, or somewhat to that or the like effect—That on the same day the said Robinson asked the said Earl, in the presence of the said Deponent, whether he meant to yield obedience to the said Warrant or not; to which the said Earl answered, that he certainly did not; that the said Captain Matthey*

also declared, during the Deponent's stay at Fort William as aforesaid, that if he had known at the time of their approach to the Fort, what their errand was, he would certainly have shut the gates, and not have permitted them to enter, or have got into a canoe and been off, and that the Deponent and his party might then have whistled for them—And this Deponent further saith, that finding that it was the determination of the said Earl of Selkirk, and the other persons who had been so arrested by the said Robinson, to persist in their refusal to yield obedience to the said Warrant, and that instead of being permitted to complete the execution thereof, by bringing away the persons they had so arrested, the said Robinson and the Deponent appeared to be themselves regarded as prisoners, being kept under the charge or superintendence of a military guard, as before mentioned; and being moreover short of provisions, with which the said Earl refused to supply them, the said Robinson, and M'Bean, and the Deponent, left Fort William aforesaid on the said ninth day of November now last past, in company together, and returned to Sault St. Marie's, where they arrived on the night of the twenty-fourth day of the said month of November.

(Signed)

ROBERT M'ROBB.

Sworn at the City of York,
in the Province of Upper
Canada, this Seventeenth
day of December, One
Thousand Eight Hun-
dred and Sixteen, be-
fore us,

WM. B. COLTMAN,

J. FLETCHER.

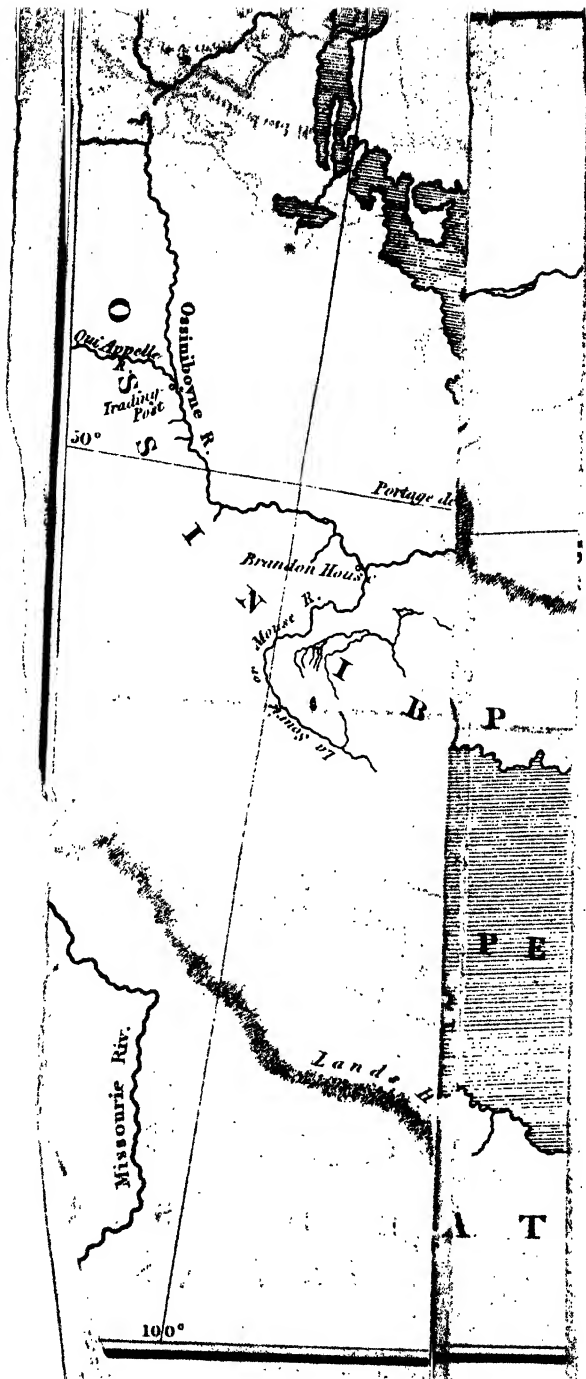
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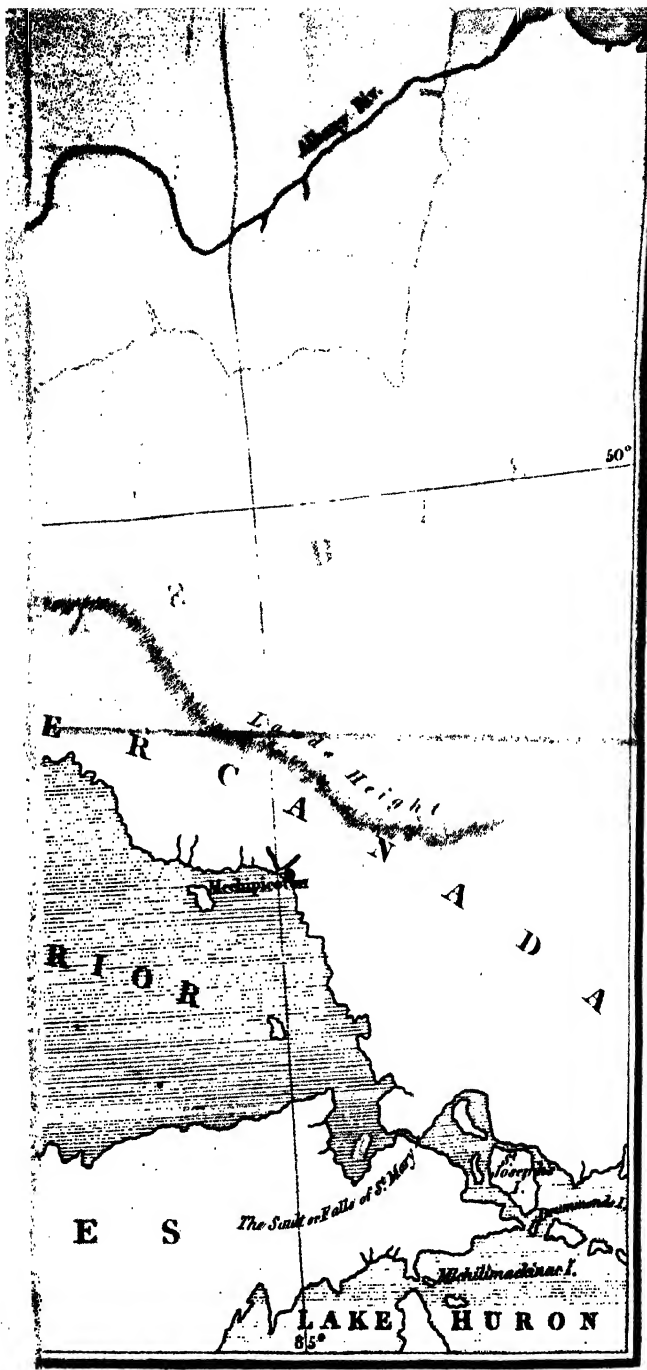
RESPECTING

THE EARL OF SELKIRK'S SETTLEMENT

IN

NORTH AMERICA.





STATEMENT

RESPECTING

The Earl of Selkirk's Settlement

UPON THE RED RIVER,

IN

North America;

ITS DESTRUCTION IN 1815 AND 1816;

AND THE MASSACRE OF

GOVERNOR SEMPLE AND HIS PARTY.

WITH

OBSERVATIONS

UPON A RECENT PUBLICATION,

*Entitled "A Narrative of Occurrences in the Indian
Countries," &c.*

LONDON:

JOHN MURRAY, ALBEMARLE STREET.

1817.

*Printed by J. Brettell,
Rupert Street, Haymarket, London.*

ADVERTISEMENT.

THE Earl of Selkirk, after his arrival in Canada, at the end of the year 1815, transmitted, upon various occasions, to his friends in England, the details of the first aggressions which had been instigated against the Red River Settlement, and the dispersion of the settlers in the preceding summer. He also subsequently furnished them with the particulars and evidence which had been collected relative to the second destruction of that Colony, in the following year. The information thus received, was not extended beyond a very limited circle in this country; but, in consequence of the repeated misrepresentations made with respect to the occurrences which had taken place at the Red River, and the numerous reports, raised for the evident purpose of injuring Lord Selkirk's character in England, his friends, at length, thought it

advisable to select from the documents in their possession, such materials as seemed to them best calculated to remove the unjust impressions which had been so industriously disseminated.—With this view, the Statement contained in the following sheets was, some time ago, printed and circulated among Lord Selkirk's personal friends, and some other individuals to whom it was thought proper to communicate the facts which it contained. This measure appeared the more requisite, because printed memorials and other documents had been put into active circulation by his opponents.

In adopting, however, even this limited step, they were aware that Lord Selkirk might entertain objections to what, without his knowledge or concurrence, they had thus resolved upon. The documents he had transmitted were only intended for their own information: but, although he could not be aware, that those by whom they were received would give them any degree of publicity, they took upon themselves to adopt such measures as appeared best calculated to protect his character in his absence.

Shortly after the Statement had been thus circulated, a Pamphlet was published in Lon-

don, under the avowed sanction of the Agents of the North-West Company of Montreal, entitled, "*A Narrative of Occurrences in the Indian Countries of North America,*" &c. &c.—a work containing, throughout every part of it, assertions which ought not to be allowed to pass unnoticed. In order, therefore, that the subject may be more generally understood, the Statement has been re-printed with the addition of some documents and information which have been received since its former circulation. To the Statement are also subjoined some Observations* upon the "*Narrative of Occurrences,*" and the whole is now submitted to the unbiassed, and impartial consideration of the Public.

The subject is of higher consequence than the Reader may at first imagine. It includes the important question whether extensive and fertile regions in British North America are ever to become inhabited by civilized society; or whether British subjects, who from the increase of population in their native land, or from other causes of a public nature, are in-

* For these Observations, see page 113.

duced to emigrate to various parts of our foreign possessions in that quarter, are to be totally deprived of the protection of the Mother Country, and excluded from the benefit of the British Laws.

London, June 1817.

STATEMENT, &c.

THE plans of colonization, promoted by the Earl of Selkirk in British North America, have, for some time past, given rise to much, and gross, misrepresentation. More than common pains have been taken, by his opponents, to mislead, and to prejudice, the public;—but such attempts, when the opportunity for strict investigation arrives, can have no other effect than to recoil upon those whose studied object has been to calumniate an individual, and to conceal the truth. It has become therefore extremely desirable that the real circumstances of the case should be better understood, and that the true nature, and extent, of those extraordinary acts, by which his plans have hitherto been thwarted, should be clearly developed. The facts, contained in the following Statement, cannot fail to throw much light upon the subject. These shall be submitted as concisely as possible, but, at the same time, it appears requisite to trace them shortly from their origin.

In doing so it will not be necessary to enter upon the general subject of the Emigrations from this country to North America; or the views which led the Earl of Selkirk to form that Settlement which has been the object of such enmity and misrepresentation.—His Lordship's sentiments on the general question of emigration have been long before the public; and, since he first drew its attention, in the year 1805. to this important subject, a marked change has taken place, not only in the opinions of many of those who then disagreed with him, but also in the conduct of Government, which has, of late years, afforded every reasonable facility for the conveyance, to our own colonies, of those emigrants (chiefly from Ireland and Scotland,) who were but too much disposed to settle in the United States.

The Earl of Selkirk having, in the year 1811, obtained from the Hudson's Bay Company, a grant of land within the territory bestowed upon them by their Charter, proceeded, in conformity with one of the principal objects of the conveyance, to establish agricultural settlers upon the lands he had so obtained.—The right to the soil, as vested in the Company, and the legality of the grant, were fully supported by the opinions of several of the most eminent counsel in England,—of Sir Samuel Romilly, Mr. (now Mr. Justice) Holroyd, Mr. Cruise, Mr. Scarlett, and Mr. Bell*. His Lordship therefore proceeded, without delay, to make the requisite arrangements for the proposed settlement. The Hudson's Bay Com-

* For these Opinions see Appendix, [A.]

pany, as empowered by their Charter, appointed Mr. Miles Macdonell, formerly Captain of the Queen's *Rangers*, to be Governor of the district of *Ossini-boia*, within which the Settlement was to be formed, and the same gentleman was nominated, by Lord Selkirk, to superintend the colony, and take charge of the settlers.

In the autumn of the following year, (1812,) Mr. Miles Macdonell, with a small party, arrived at the spot which had been selected for the Settlement. He immediately proceeded to erect houses, and make every necessary preparation for the arrival of the first detachment of settlers, which was soon expected. The situation which had been chosen for the colony was on the banks of the Red River, (lat. 50° North, long. 97° West of London,) about forty or fifty miles from its entrance into Lake Winipic, and near its confluence with the Ossiniboyne River. At the beginning of the year 1813, the settlement consisted of about an hundred persons. In June 1814, they received an addition of fifty more, and in September following, the total number of settlers, and labourers, amounted to about two hundred. In the course of the same year, between eighty and ninety additional emigrants, from the Highlands of Scotland, arrived at Hudson's Bay, for the purpose of proceeding to the settlement, having been induced to join their friends and relations at Red River, from the favourable accounts which the latter had transmitted to them, of the lands upon which they were settling, and the flattering prospects that awaited them.— This last mentioned party, however, did not arrive at

the Settlement till after it was broken up, for the first time, as shall be noticed in the sequel.

From the commencement of the Red River Settlement until the winter 1814-15, and the following spring, there occurred nothing of any material importance to interrupt the progress of this infant colony*. The difficulties, which were, in some degree, unavoidable at the beginning of an establishment of that nature, were happily got over. The heads of families, as they arrived, were put in possession of regular lots of land, which they immediately began to cultivate;—houses were built; a mill was erected; sheep and cattle were sent up to the settlement; and all practicable means were taken to forward the agricultural purposes of the colony. The spot which had been selected, was ascertained to be of the highest fertility, and of the most easy cultivation. Though woods abounded in the neighbourhood of the plains adjoining the Red River, containing a variety of the finest timber, yet no trees were required to be cut down, or roots to be cleared away, from the lands that were appropriated to husbandry. The expensive and tedious operation of clearing away heavy woods, before the ground can be tilled, (a measure indispensable in most of the new settlements in North America) was totally unnecessary upon the banks of the Red River:—the plough, from the first, met with no obstruction, and the soil proved in the

* It was named the *Kildonan Settlement*, from the name of the parish, in the county of Sutherland, whence the greater part of the settlers had emigrated.

highest degree rich and productive.—The climate had long been ascertained to be equal to that of any part of Canada, and with less snow in the winter. —The river abounded with fish, the extensive plains with buffaloe, and the woods with elk, deer, and game. The hunting grounds of the Indians were not at all interfered with; and, by the terms of the grant, both the grantee, and those who held under him as settlers, were entirely precluded from being concerned in the fur trade. The district indeed had already been almost exhausted of those animals, whose furs are so valuable. The neighbouring tribes of Indians (the Sautoux) proved, from the first, to be friendly and well-disposed. Serious attempts indeed had been made, as early as the spring of 1813, by the clerks and interpreters employed by the fur traders from Montreal, to instigate the natives against the settlers. The Indians were told by these persons that it was intended to deprive them of their hunting grounds, and that, if the establishment at the Red River once obtained a firm footing, the natives would be made slaves of by the colonists.—These attempts to alienate the good will of the natives from the settlers appeared, at first, to have an alarming effect, producing menaces, and jealousy, on the part of their Indian neighbours.—Mr. Miles Macdonell, the governor of the district, soon found means, however, of doing away the unfavourable impressions which had been raised. He held conferences with the Sautoux tribes, and not only succeeded in obtaining the continuance of their friendship, but also the promise of their supreme chief

to encourage the Indians of Lake La Pluie to draw nearer towards the Red River, for the purpose of planting Indian corn, and establishing villages.— From this period the Indians, in the neighbourhood, remained upon the most friendly footing with the colonists, and continued so to the last without interruption. There seemed, therefore, nothing likely to occur which would impede the settlers in their agricultural pursuits, nor were they themselves apprehensive of any molestation. The Earl of Selkirk, at the commencement of the settlement, had sent up some light brass field-pieces, swivels, and musquets, for its protection ; and an additional quantity of arms and ammunition, which had been furnished by Government for the defence of the colony, was received there in the summer of 1814.—In short, the settlers appeared confident of their security, content with their situation, and happy in their prospects ; nor did there exist any reasonable ground to doubt, that, if left undisturbed, the colony, in a few years, would have been completely and firmly, established. —This indeed, must have been the decided opinion, at the time, even of those who proved to be its most inveterate opponents, otherwise they never would have thought it necessary to take violent means to destroy it. Had the Settlement been likely to fail from causes inherent in its nature, or arising from the remoteness of its situation, or other local circumstances, its enemies, (and none were better judges than they) would doubtless have left it to its fate ; and, remaining passive spectators of its destruction, would gladly have permitted the colony to die a natural

death, instead of incurring anxiety, expense, and the risk of the vengeance of the law, by adopting those active measures, to which they resorted, for the purpose of strangling it in its infancy.—By the *enemies* of the Red River colony, I mean the North-West Company of Fur Traders at Montreal, — whose hostility to the settlement, and outrages against their fellow-subjects, have been carried to a pitch so dreadful, as almost to surpass belief.—It may be proper, in a few words, to trace their enmity from its commencement*.

When the question of granting to the Earl of Selkirk an extensive tract of land, within their territory, was first agitated by the Hudson's Bay Company, a general court of Proprietors was called for the purpose of discussing the measure. This meeting was held in May 1811,—and, in order to give the proprietors a further opportunity of making themselves fully informed of the nature of the proposed measure, an adjournment of the court took place; notice, in the mean while, being given to all the stock-holders, that the terms of the proposed grant were left at the Secretary's office for their inspection. At the adjourned general meeting, the proposition was discussed, and adopted. A Memo-

* Although the North-West Fur Traders of Montreal commonly go by the name of a *Company*, they are not a chartered body.—An account of the origin and constitution of this powerful association may be seen in a pamphlet lately published by the Earl of Selkirk, entitled, "A Sketch of the British Fur Trade in North America," &c. &c.

rial, however, or Protest, was entered against the measure, and signed by six of the proprietors. In perusing this document, a superficial observer would have been led to conclude, that those who protested, had no object so dear to them, as the welfare, and prosperity, of the Hudson's Bay Company. They seemed, with the most friendly attention, to warn the Company of the errors into which they were falling, and the injuries, which would infallibly accrue to them, from the adoption of the measure in question ; — above all, they feelingly regretted that those emigrant settlers, who might eventually be established within the district so granted, would be placed “ out of the reach of all those aids and comforts, which are derived from civil society.” The sincerity, however, of these regrets could not fail to appear dubious, when the signatures to the Protest were inspected. Of the six who signed it, three were persons closely connected with, and interested in, the rival commercial concerns of the North-West Company of Montreal ; and two of the three were, at the very time, avowed London Agents to that Company. The latter had only become proprietors of Hudson's Bay stock about eight and forty hours before the general meeting last alluded to. They were not indeed possessed of that stock long enough to entitle them to give any vote at the meeting ; but their names being now entered in the Company's books, — though the ink was scarcely dry with which they were inserted, — a right, it seems, was thereby conveyed to them to find fault with every thing that was doing, and for-

mally to protest against measures to which the committee of Directors, unanimously, and the general court of Proprietors, by a great majority, and on full deliberation, had given their sanction. As far as these agents therefore were concerned, it was not very unreasonable to view, with suspicion, the alleged grounds of their Protest, as well as the motives of those admonitions which it purported to contain. Their object indeed, in making the purchase, could scarcely be mistaken ;—and, however circuitous the proceeding might be, it was evident that they had thus become proprietors of one commercial Company, for the indirect purpose of benefiting another, and a rival, establishment.

With regard to the grounds of this protest, as affecting the subject of the grant to the Earl of Selkirk, it would be an idle task to notice the geographical, and other, blunders with which it abounded. —Had the whole matter of it indeed been confined to that single assertion in which the protesters observe, “ Besides, it has been found that colonization is at all times unfavourable to the fur trade ”—it would have disclosed at once, and in substance, the true cause of their alarm. This apprehension with respect to the effect which colonization might produce upon their trade, formed the ground of that hostility, which, even then, became apparent towards the proposed Settlement ; and we shall see that the North-West Fur Traders of Montreal did take effectual measures, from the time of this protest, not only to keep all agricultural settlers in Ossiniboia “ out

“ of the reach of those aids and comforts which are
 “ derived from civil society,”—but that many of
 them afterwards entered into a regular combination,
 for the purpose of dispersing the colonists, and de-
 stroying every vestige of the settlement.

The plans adopted for this scheme of destruction, appear to have been arranged at the annual meeting of the North-West Company's partners, in the summer of 1814, at their trading post, called Fort William, on Lake Superior*.—Information had, in the course of that season, been transmitted to the Earl of Selkirk, (but which he did not receive till the beginning of the following year,) that serious apprehensions were entertained of hostility from the natives, and that the Indians were likely to make an attack upon the Settlement. This information came from a person whose veracity was above suspicion; and who, although holding an interest in the concerns of the North-West Company, had, much to his honour, determined not to conceal the opinion he entertained on the subject. The suspicions, however, which had arisen with respect to hostility from the Indians, proved, in the result, unfounded.—The attack came from another, but not less savage, description of enemies.

Among the partners of the North-West Company, who received their instructions from the general annual

* In general, the houses, or trading posts, in the interior of the Indian country, and also in the Hudson's Bay territories, are termed *Forts*, being usually surrounded with stockades for security.

meeting at *Fort William*, in the summer of 1814, were a Mr. Duncan Cameron, and Mr. Alexander

M'Donell; and these appear to have been the persons selected by the partnership, to superintend, and execute, the plans entered into against the Red River colony. Upon the 5th of August in that year, the latter writes to his friend at Montreal, (also a partner of the Company,) from one of the portages lying between Lake Superior, and the place of his winter destination in the interior, and to which he was then proceeding.—This letter, written and signed by Mr. Alexander M'Donell, contains the following passage which speaks a language that cannot be misunderstood:—"You see myself and our mutual friend, " Mr. Cameron, so far on our way to commence open " hostilities against the enemy in Red River.—Much " is expected from us if we believe some—perhaps " too much.—One thing certain, that we will do our " best to defend what we *consider* our rights in the " interior.—Something serious will *undoubtedly* take " place. Nothing but the complete downfall of the " colony will satisfy some by fair or foul means—a " most desirable object if it can be accomplished.— " So here is at them with all my heart and energy."

Mr. M'Donell, and his co-partner, accordingly proceeded towards their destination, and arrived, about the end of August, at a trading post (called by them Fort Gibraltar) belonging to the North-West Company, situated at the Forks, about half a mile from the Red River Settlement.—This station had probably never before been honoured with the regular residence of a partner of the Company; but the

duties now required were, it seems, too important to be entrusted to subordinate agents.—Mr. Duncan Cameron remained at the Forks during the autumn, winter, and ensuing spring. His partner, Mr. Alexander M'Donell, proceeded further into the interior, where he continued until the month of May, when he returned to the Forks, bringing with him a party of the Cree Indians from a considerable distance, for the purpose, as we shall see afterwards, of inducing them to assist in driving away the settlers from Red River

Cameron, to whom his partners appear to have confided the important charge of opposing, upon the spot, the further progress of colonization, seems to have been fitly qualified to perform the service for which he had been selected. He began by ingratiating himself among several of the heads of families at the settlement; and being able to converse with many of them in their native Gaelic tongue, he, by degrees, gained the confidence, and good opinion of the Highlanders.—He frequently invited them to his house, entertained them, and their families, at his table, and treated them in a manner far superior to what they were accustomed to in their own habitations. He took every possible means to secure their favour; and they saw no reason to be suspicious of his intentions towards them. The influence, which he gradually acquired over many of them during the autumn and winter, was artfully exerted to make them discontented with their employments, dissatisfied with their superiors, and doubtful of their prospects at the settlement.—He alarmed them with constant reports, which he stated he had received from the

interior, that the Indians from a distance, were coming in the spring, to attack them ; and that, unless they placed themselves under the protection of the North-West Company, and accepted his offers to take them to Canada, they would never be able to escape from the country, or avoid the dangers which surrounded them.—In order to give himself an appearance of superiority and command, he pretended to bear a regular king's commission, ostentatiously wearing an uniform of the *Voyageur Corps* ; a short-lived regiment, which had been disbanded two years before.—In his written communications with the settlers he subscribed his name “ D. Cameron, Captain, Voyageur Corps, Commanding Officer, Red River.”—And, in order the better to confirm their belief, he conspicuously placed on the gate of his trading post, a paper purporting to be an order appointing him (Cameron) a captain ; his partner, M'Donell, a lieutenant ; and one of the North-West Company's Canadian clerks, of the name of Seraphim Lamar, an ensign, in that Corps ;—and the order sanctioning these commissions, was stated to have been signed, in August 1814, by Colonel M'Dowal, the commandant at Michillimackinack*.

* The Earl of Selkirk having thought it advisable to ascertain if there existed any foundation for supposing that these persons were entitled to the commissions they assumed, applied some time afterwards, (in March 1816) to Sir Gordon Drummond, then administering the government of Canada, (under the title of Administrator in Chief,) requesting to know whether it appeared that his predecessor, Sir George Prevost, “ had given authority to the commandant at Michillimackinack to issue

This imposture on the part of Cameron, and these assumed airs of trust and importance, which, in other situations, would perhaps have only raised contempt

“ commissions to persons in the Upper Country, as officers in the
 “ Voyageur, or any other corps, and the nature and extent of
 “ the authority so granted,” adding, “ that the inquiry was of
 “ material consequence, as he had the strongest ground to believe,
 “ or rather that he had unquestionable information, that several
 “ persons were at that moment making a very improper use of
 “ the name of his Majesty, under the pretext of some such autho-
 “ rity; and that, for the same reason, he was desirous of learning
 “ the nature and objects of the commissions which appeared to
 “ have been granted to some gentlemen, as *Major des tribus sau-
 “ rages, et des pays conquis.*” —Sir Gordon Drummond, in reply,
 informed his Lordship that “ having caused research to be made
 “ in the Military Secretary’s Office, it did not appear that any au-
 “ thority to issue commissions to persons in the Upper Country, as
 “ officers of the Voyageurs, or any other corps, was, at any period
 “ vested in the officer commanding at St. Joseph, or Michilli-
 “ mackinack; but that a general order of the 10th of May, 1814
 “ gave to Norman M’Leod, Esq. the rank of Major; a subsequent
 “ general Order of the 29th of May, 1814, the rank of Lieutenant-
 “ Colonel to Mr. M’Gillivray; and the general Order of the 7th
 “ of September following, the rank of Major to Pierre Rochblave,
 “ Esq. in the Indian and conquered countries.”

In reply, his Lordship observes, “ I have to acknowledge the
 “ honour of your Excellency’s letter of the 1st, and to return
 “ my thanks for the very satisfactory information which it con-
 “ tains, from which it appears evident, that the persons, who,
 “ under the pretence of being officers in the Corps of Voyageurs,
 “ are taking upon themselves to act in his Majesty’s name in the
 “ Indian country, must be considered as mere impostors.—As
 “ the imposture has been carried to a very great length, and has
 “ been made to serve the worst of purposes, I beg leave to submit
 “ to your Excellency, whether some public declaration ought
 “ not to be made by the Provincial Government in order to put

or laughter, were, under the circumstances in which they were resorted to, but too well calculated to mislead the uninformed persons whom it was his object, by every method, to delude, and who had not the means of ascertaining that he was, in no shape, entitled to the rank or authority he pretended to bear. —The settlers concluding that he was, in some manner, sanctioned by Government, naturally put more confidence in his advice, and reliance on his promises, than they otherwise might have done. These promises he dealt out in great profusion. To each of the settlers he engaged to give a free passage to Canada (generally to Montreal), a twelve months'

“ an end to so dangerous a delusion. With respect to the gentlemen who have been commissioned as officers *des pays conquis*, *et des tribus sauvages*,—I presume that the late Governor-General must have had in view some temporary organization for the American Territory, which came into our possession by the capture of Michillimackinack, and the restoration of that territory at the peace must, of course, have superseded the whole of these commissions.” In place, however, of any further inquiry being instituted, by the Administrator in Chief, for putting a stop to the proceeding complained of, he merely states in his answer to Lord Selkirk, (dated 13th of the same month) that “ the public having been already duly apprized by the general Order of the Governor-in-Chief, dated 12th of March, 1813, of the reduction and discharge of the late Corps of Voyageurs, any further declaration on the part of the Provincial Government relating to that corps must be deemed unnecessary.”—The issuing a General Order in the year 1813, for the reduction of a military corps, and which Order had obviously been disregarded by those who did not wish to yield obedience to it, appears certainly a singular reason for deeming it unnecessary, in the year 1816, to endeavour to enforce it.

provisions gratis for themselves and their families, an allotment to each of two hundred acres of land, and every other encouragement they could hope for. To many of them pecuniary bribes were held out as an inducement to desertion. One of the principal settlers was offered several hundred pounds if he would abandon the settlement with his family, which he refused*. Others of them actually obtained considerable sums on a similar ground. One of them (George Campbell, who was the first to desert from the colony, and proved most active in its subsequent destruction) received one hundred pounds as a reward for his treachery†.—Various other sums were paid to the deserters, or credited in accounts subsequently made up for them in Canada, by the North-West Company.—The labourers and contracted servants at the settlement (generally under engagement for three years service) were also seduced by similar means, with the additional lure of high wages, and great encouragement, in the Canadas. Many of these persons were prevailed upon to desert before the expiration of their contracts, and to carry away with them the implements of husbandry, and working tools, which had been provided for them, and which were afterwards purchased from them by the North-West Company.—It is unnecessary to dwell any longer upon the means adopted by Cameron to reduce the settlers from the Red River, and which, in the result, proved but too successful. Several of them, as has been stated,

* See Appendix, [P.] and [S.] .

† See Appendix, [S.] and also page 32.

joined him in the course of the winter, and most of the others secretly engaged to abandon the settlement in the following spring.

In spite, however, of the success which had thus far attended the secret operations of Mr. Cameron, he knew that there was a considerable party in the colony which was neither to be allured by his arts, nor intimidated by the report of threatened hostility from the Indians. But, as the North-West Company were resolved to adopt no half-measures in putting a stop to colonization, it was necessary for Cameron to have recourse to some more active plan of hostility. Cordially agreeing with his friend and co-adjutor, M'Donell, that "nothing but the complete downfall of the colony would satisfy some by fair means or "foul;"—like him, he commenced his operations—with "all his heart and energy."

As the native Indians were not to be induced to act hostilely against the settlers, recourse was had to the aid of a lawless banditti, technically termed, in that country, *Metifs*, *Bois Brulés*, or *Half-breeds*.—These are the illegitimate progeny chiefly of the Canadian traders, and others in the service of the North-West Company, by Indian women.—They have always been much under the control of that Company, by whom they are frequently employed as hunters, chiefly for provisions,—an occupation in which they are very expert; hunting and shooting the buffaloe on horseback. The Company also employs them occasionally in other temporary services; and some of them are engaged in their regular employment as clerks, having received, in Canada, an educa-

tion fitted to qualify them for that situation.—Another description of persons was also made use of, who are termed *Free Canadians*. These are principally retired servants and traders of the North-West Company, who have remained in various parts of the interior, and whose services are still occasionally wanted by that Company.—When the colony was first established upon the Red River, these Free Canadians, as well as the Brulés, or Half-breeds, were on good terms with the settlers.—Some of the former had even taken regular lots of land which they began to cultivate, and the latter were occasionally employed by the colonists in hunting for them, and collecting provisions.—But when it was decided that the anathema pronounced in this country against colonization, as being “at all times unfavourable to the fur trade,” was to be carried into effect; and that the settlement was no longer to be allowed to exist, the services of the Half-breeds to the colonists were prevented. They were directed to harrass the settlers by every means in their power, to straighten them in provisions, and to drive the buffaloe from the plains.—From this period, therefore, their hostility to the settlement was as marked as that of their employers, and they subsequently became the principal instruments made use of in promoting its destruction.

To prevent any effectual resistance on the part of the principal officers, and the other settlers, who were not to be seduced by Cameron, it appeared a material object, previous to any attack upon the colony, to get possession of the arms which had been furnished by Government, as well as by the Earl of

Selkirk, for its protection. After several of the settlers, therefore, had deserted, and the greater part of the others appeared ready to join him, Cameron issued the following order, addressed to Mr. Archibald M'Donald, who, in the temporary absence of Mr. Miles Macdonell, had then the charge of the settlement.

" FORKS OF RED RIVER,

" 3rd April, 1815.

" MR. ARCHIBALD M'DONALD,

" SIR,

" As your field-pieces have already been employed
 " to disturb the peace of his Majesty's loyal subjects in this
 " quarter, and even to stop up the King's highway, I have
 " authorised the settlers to take possession of them, and to
 " bring them over here, not with a view to make any hostile
 " use of them, but merely to put them out of harm's way.—
 " Therefore I expect that you will not be so wanting to your-
 " selves as to attempt any useless resistance, as no one wishes
 " you, or any of your people, any harm.

" I am, SIR,

" Your very obedient Servant,

" D. CAMERON,

" Captain, Voyageur Corps,

" Commanding Officer, R. R."

" To Mr. Archibald M'Donald,

" Red River Settlement."

This singular production was delivered to George Campbell, the most active of those who had previously deserted, and who read it on the Sunday he received it to several of the settlers, after they had been assembled to have a sermon read to them, as usual, on that day.—On the following morning the settlers and servants collected at the store-house to have their

fortnight's allowance of provisions delivered out to them, after which George Campbell, with several others, repaired to the Governor's house in the colony, and formally delivered to Mr. M'Donald the order signed by Cameron; and while Mr. M'Donald and the other principal officers of the settlement were forcibly prevented from leaving the house, by Campbell and his armed party, the store-house was broken open, and the field-pieces, together with the swivels, and a small howitzer, in all nine in number, were seized, and taken out of the store.—A musket was then fired by one of the party as a signal, when Cameron, with some armed men, immediately came out of a lurking-place where he had concealed himself, (with a view, no doubt, of aiding the depredators, should they have stood in need of his assistance,) and joined the party within thirty or forty yards from the store-house. Among the banditti who attended him were two clerks, and an interpreter, in the regular employment of the North-West Company,—*Bois-Brulés*, named Cuthbert Grant, William Shaw, and Peter Pangman, commonly called *Bostonois*. After Cameron had joined the party who had broken into the store-house, he congratulated them upon the success of their enterprise, and conducted them all, with the guns they had stolen, to his station at the Forks, where the plunder was deposited in the North-West Company's store, and the party regaled by their leader*.

* On Mr. Miles Macdonell's return to the settlement, shortly after this robbery, he granted a warrant to search for, and recover,

After this robbery, those of the settlers, who had, for some time resolved to quit the Red River, deserted to the North-West Company's station at the Forks ; many of them carrying with them the Government muskets which had been issued to them, the guns, and arms, which Lord Selkirk had likewise provided, and which, (as well as various other articles, belonging to his Lordship, such as implements of husbandry, &c.) were afterwards purchased by the North-West Company, who could not but have known they were stolen.—One of the labourers belonging to the settlement, who had assisted in breaking open and plundering the store-house, having been apprehended by Mr. Archibald M'Donald, a large armed party, led by George Campbell, together with the North-West Company's clerks and servants, Cuthbert Grant, William Shaw, Bostonois, and Boucher, broke into the governor's house, presented their pistols at Mr. M'Donald, and the other officers of the settlement, and rescued the prisoner. Shaw declared to Mr. M'Donald that this was done by Cameron's order.—

the stolen property ; and sent several of the principal settlers, and about twenty persons with them, to the North-West Company's station for that purpose.—Mr. Duncan Cameron would only permit four of the party to enter within the stockade, and upon the warrant being produced, and read to him, he said he would neither allow search to be made, nor the property to be taken ; that the guns and other articles were under his charge, and he would take care to keep them.—It was in vain to attempt to execute the warrant, as a number of the servants of the North-West Company were drawn up armed on each side, mostly with muskets and fixed bayonets.

But it would require no such declaration to satisfy any one, that these additional acts of aggression could never have been committed by those in the service of the North-West Company, had they not been directed by their superiors to commit them.

Mr. Miles Macdonell, the governor of the district, returned about this time to resume his charge at the settlement. A warrant to arrest him had been issued some time before by one of the partners of the company, Mr. Norman M'Leod, a magistrate for the Indian territory, on a charge of feloniously taking a quantity of provisions belonging to that Company; but Mr. Macdonell did not think fit to acknowledge the jurisdiction, or yield to the warrant*. In consequence of this refusal, threats were repeatedly made by Cameron, that if he (Mr. Macdonell) was not delivered up by the settlers, or did not surrender himself, the colonists should be attacked.—These threats were partially carried into execution, and several of the settlers were fired at by Cameron's people.

About the middle of May, Mr. Alexander Macdonell, Cameron's partner, arrived at the Forks from his winter station in the interior, and brought down with him a party of the Cree Indians from the River Qui Appelle, several hundred miles further up the country, for the purpose, no doubt, of verifying the predictions of his co-adjutor, who had so often declared to the settlers that the remote Indians were determined to attack them in the spring.—These

* For an explanation of this transaction, see Appendix, [B.]

Crees were detained for a short time at the Forks, and generally kept in a state of intoxication. While they remained there, about a dozen of the horses belonging to the settlement were shot with arrows in the night-time, but it was supposed they were killed by the Brulés under Cameron's direction, and not by the Indians.—The chief of the party found means to get over, without Cameron's permission, to the settlement, and declared to Mr. Miles Macdonell that, although they had been brought from their own country for the express purpose of assisting in driving away the settlers, he was resolved not to molest them.—The Crees, indeed, seem to have been a somewhat more civilized race than their employers.—They returned to their own country not very well pleased with their errand ; but, previous to their departure, they sent the pipe of peace to the colony, as an assurance of their friendship.

About the same period, another, and more formidable, attempt was made to instigate the Indians, from a different quarter, to fall upon the Red River settlement.—A Chippewa Chief of Sand Lake, (near the River St. Louis, which runs into Lake Superior, at the Fond du Lac) has declared before the Council of the Indian Department in Canada, that he was offered, in the spring of 1815, for himself and his people, all the goods at three of the North-West Company's trading posts, if he would go with his warriors down to the Red River settlement, and declare war against the settlers : but he refused*.—The reports, there-

* See Appendix, [U.]

fore, of threatened hostility from the Indians, so often urged by Cameron to the settlers as an inducement to make them abandon the Red River, do not appear to have been altogether an empty rumour, or entirely destitute of probability ; but if there did exist any chance of such attack, it was certainly an act of the most consummate villainy, to rob the settlers of those arms which had been provided for their defence, and to deprive them of the only means left them for their protection against Indian ferocity*.

The servants and others employed by the North-West Company began now to collect in considerable numbers towards the Red River, and these, together with the Half-breeds, and most of the settlers and labourers who had abandoned the colony, formed a camp at some distance down the River, where they mounted some of the guns which they had pillaged from the settlement. Every annoyance was now directed towards the remaining settlers, and measures of active hostility appeared to be preparing against them. The Canadian clerks and servants, together with the Brulés, were occasionally paraded under the immediate inspection of the Company's partners,

* Cameron not only aided, as already mentioned, in plundering the colony, by force, of its means of defence, but availed himself of his assumed commission and authority, to deprive the settlers of their arms.—The following is a specimen of his *orders* for this purpose :—" I do hereby order James M'Kay and George Sutherland to give up their muskets in the King's name.

(Signed)

" DUNCAN CAMERON, V. C."

See Appendix, [N.]

at their station at the Forks; and matters seemed now to be drawing towards a crisis.

On the morning of Sunday, the 11th of June (a day in which it might have been hoped some little rest from their troubles would have been allowed to the harrassed settlers) a number of loaded muskets, together with ammunition, were delivered out of the stores of the North-West Company to their clerks, servants, and followers, for the purpose of an immediate attack upon the colony. Seraphim Lamar (the Voyageur Ensign), Cuthbert Grant, William Shaw, and Peter Pangman Bostonois, formed, as usual, part of this banditti. They marched from the North-West Company's post, and stationed themselves in a small wood adjoining the governor's house, which was the principal building in the settlement. They began their operations by firing a shot at Mr. White, the surgeon, who was walking near the house, but it fortunately missed him. Another shot was at the same time fired at Mr. Bourke, the store-keeper, and the ball passed close to him. A general firing then commenced from the wood, which was returned by those in the house, four of whom were wounded, and one of whom (Mr. Warren) died of his wounds.—After the North-West Company's party had kept up their fire for a considerable time, they returned with Cameron, who, shortly after they had left the Forks, had followed them armed, and who, on their return, congratulated them, with much satisfaction, upon the result of their exploit, and on their personal safety;—a circumstance not very surprising, considering that, during

the attack, they were concealed in a wood, not one of them being visible to those upon whom they were firing.

. After this cowardly, and unprovoked attack, it would have been absurd in the remaining officers and settlers of the colony to have supposed they would be permitted to remain in security.—It was given out by Cameron that he was resolved to have possession of Mr. Miles Macdonell, dead or alive ; but that if he would surrender himself quietly,—or if the settlers would give him up, all further hostility should cease*.—What was this but an acknowledgment on the part of Cameron, that measures of hostility depended solely upon his will ?—At length Mr. Miles Macdonell, at the persuasion of the other officers of the settlement, in order to prevent the further effusion of blood, and in the hope of securing the remaining settlers from future violence, surrendered himself to the warrant.—He was soon afterwards carried down to Montreal (about 2,500 miles) to be tried ;—but no trial has ever taken place.

The remaining settlers at Red River were, however, much mistaken in supposing that the surrender of Mr. Miles Macdonell was to ensure to them future security.—It was of course a most important object for their opponents to get the principal person of the settlement (and one who also held the appointment, from the Hudson's Bay Company, of governor

* For a specimen of Mr. Cameron's curious letters to the settlers, see Appendix, [C.]

of the district) into custody ; but having once got possession of him, they threw off the mask ; and peremptory orders were issued by Cameron, directing the remaining settlers to leave the Red River. These orders were followed up by the most wanton acts of aggression, under the direction of Mr. Alexander M'Donell, who, after Cameron's departure with his prisoner, succeeded to the command at the Forks. The remaining settlers were frequently fired at by his people ; the farm-house belonging to the settlement was broken open and pillaged ; several of the servants and labourers, quietly employed in tillage, were forcibly seized, and detained as prisoners ; the horses were stolen, the cattle driven away, and the bull belonging to the settlement was killed and cut up in the presence of Alexander M'Donell himself. —He also made a sort of battery opposite the settlement, upon which he mounted two of the field-pieces they had stolen, and established a camp of about fifty or sixty of the Canadian servants, clerks, Bois-Brulés, &c &c.—Such were the measures which this partner adopted for defending, as he termed it in his letter of the 5th of August, what the North-West Company considered “their rights in the interior.”

Another attack with fire-arms was made upon the governor's house on the 22nd of June ; but the fire was not returned by the settlers.—Finding, however, it was vain to look for a cessation of hostility, they determined to quit the settlement, and accordingly informed Mr. Alexander M'Donell that they should be ready to depart in two or three days.—On the

24th of June, two of the Sautoux chiefs, with about forty warriors of that nation, arrived at the settlement. From thence they went to the North-West Company's station at the Forks, and endeavoured to prevail upon Mr. M'Donell to permit the settlers to remain, but without effect. The Indians then expressed their regret that, from the numbers of people whom the North-West Company had collected in the neighbourhood, supported by the field-pieces which had been taken from the colony, they were not able at that time to protect the settlers. They therefore advised them to depart, and offered to give them a safe escort, for themselves and their property, down the river, to Lake Winipic.—This offer was thankfully accepted, and was probably the means of saving the lives, as well as securing the property, of the remaining settlers. For there is very little doubt but that the plunder of the stores, still remaining at the settlement, was held out as a lure to tempt the Half-breeds, and their associates, to the commission of the outrages against it; and that they were prepared to seize all the remaining property by force, as the settlers passed down the river towards the lake. Under their Indian escort, therefore, the officers, and remaining settlers, amounting to about sixty, quitted the settlement, leaving behind Mr. M'Leod, a trader in the service of the Hudson's Bay Company, then stationed at Red River, with two or three men employed in the mercantile concerns of that Company.—Having thus quitted their habitations, they went, in their boats, down the Red River to its mouth, from whence, after taking leave of their

friendly Indian conductors, who expressed an anxious hope that they would be enabled again to return to their settlement, they proceeded to the other end of Lake Winipic, where they stationed themselves at Jack River House, a trading post belonging to the Hudson's Bay Company.—The day after they had left the settlement, a party of their enemies, composed, as usual, of the North-West Company's clerks, servants, &c. proceeded to the spot, and, setting fire to the houses, the mill, and the other buildings, burnt them to the ground*.

The “complete downfall of the Red River Colony” having been thus accomplished through the agency of the two partners who had been employed to effect it, it will be important to observe how these persons were received by the North-West Company, when they reported to that body, the success of their campaign, and produced to them the proofs of their victory.

They carried down with them, to the annual rendezvous of the partners and agents at Fort William, on Lake Superior, about one hundred and thirty-four settlers, including men, women, and children.—They arrived there about the end of July, and found many of the partners of the North-West Company assembled, who expressed their undisguised satisfaction at the occurrences which had taken place at Red River.—Cameron was highly praised for the steps he had adopted, particularly in carrying off the field-

* See all the Appendix from [D.] to [T.] inclusive.

pieces, and securing the arms: and if any further proof were wanted, of which, however, there is abundance, that the conduct of Cameron and M'Donnell was fully approved of by the body of partners then present, it need only be mentioned, that the Company, in place of taking immediate steps to have those two individuals brought to trial, again appointed them to command at the same stations, in the interior; which they had charge of the season before,—and to return to the scenes of their late exertions, doubtless, with the view, of opposing any attempt which might be made to re-establish the colony on the Red River.

But though these marks of approbation were bestowed upon the leading actors in this work of destruction, it would appear that the subordinate agents were by no means so liberally rewarded as they had reason to expect; and that they even complained of being defrauded of their promised hire*. Many of the deserters from the colony, however, and particularly those of the settlers, whose treachery had proved most useful to the North-West Company, were well remunerated for their services. An account-book was regularly opened at Fort William, in which credits were given to forty-eight of these people, for various articles which they had plundered from the settlement, and delivered to Cameron at his trading post.—These consisted chiefly of implements of husbandry, working tools, horses, muskets, guns, pistols, &c. &c.—Thus, in one of these accounts,

* See Appendix, [Q.], near the conclusion.

appears a credit "for five new guns, £10;—for a
 " new common pistol, 15s.;—one old gun, 15s."
 &c. &c.—At the bottom of those accounts were
 generally added the sums they were to receive, and
 did receive, as rewards for their services against the
 settlement.—Several of these persons thus obtained
 from the North-West Company larger sums than, in
 all probability, they had ever been possessed of, at
 any one period, in the whole course of their lives.—
 To many of their accounts were also subjoined, in
 the hand-writing of Cameron, and M'Donell, short
 abstracts of the services which these deserters had
 respectively performed in promoting the destruction
 of the settlement.—For example;—honourable men-
 tion is made of one of them (in the hand-writing of
 Cameron) thus—"This man joined our people in
 " February, was a great partisan, and very useful to
 " us ever since, and deserves something from the
 " North-West Company—say five or six pounds."
 —Of another (also in Cameron's hand-writing):—
 "This man was also a great partisan of ours, and
 " made himself very useful to us; he lost his three
 " year's earning with the H. B. for joining us, and
 " he deserves at least about £20."—Of another (in
 the hand-writing of Alexander M'Donell): "He
 " was very desperate in our cause this spring, and
 " deserves three or four pounds," (signed) "A.
 " M'Donell."—Of another (also in M'Donell's
 hand-writing): "An active smart fellow.—Left the
 " H. B. Company in April last—a true partisan,
 " steady and brave.—Took a most active part in the
 " campaign of this spring, and deserves from fifteen

" to twenty pounds.—He has lost about £20 by
 " leaving the Hudson's Bay Co. a month before the
 " expiration of his contract." (signed) " A.
 " M'Donell."—Of another (likewise in M'Donell's
 hand-writing): " This man left the H. B. Co. in
 " the month of April, owing to which he lost three
 " year's wages.—His behaviour towards us has been
 " that of a true partisan, steady, brave, and resolute
 " man ; and was something of a leading character
 " among his countrymen, and deserves at least about
 " £20." (signed) " A. M'Donell."—But the
 truest of all *true partisans* appears to have been
 George Campbell. This man was therefore con-
 spicuously honoured, as well as rewarded, by the
 North-West Company.—He was placed at table in
 their common hall, at Fort William, next to the
 partners, and above the clerks of the Company.—
 But this distinction (enviable as it might be!) was
 not sufficiently solid for Mr. Campbell.—By the
 direction of the partnership he received a reward of
 £100, which was paid to him by one of the Com-
 pany's clerks. Subjoined to his account with the
 Company is the following honourable testimony to
 his merits, under the hand-writing, and signature, of
 his friend and patron Mr. Duncan Cameron.—
 " This (Geo. Campbell) is a very decent man, and a
 " great partisan, who often exposed his life for the
 " N. W. Co.—He has been of very essential service
 " in the transactions of Red River, and deserves at
 " least £100, Halifax ; and every other service that
 " can be rendered to him by the North-West Com-
 " pany—Rather than his merit and services should go

“unrewarded, I would give him a £100 myself,
 “although I have already been a good deal out of
 “pocket by my campaign to Red River.

“DUNCAN CAMERON.”

After a perusal of the statements which have been thus submitted, and of the documents referred to in the preceding part of this narrative, no impartial reader, unless he thinks these documents are forged, can hesitate in drawing this conclusion—that from the first knowledge of the Earl of Selkirk’s intention to establish a colony at the Red River, the North-West Company of Montreal determined to prevent it; that, in pursuance of this determination, they adopted, both in this country and abroad, such measures as appeared to them best calculated to carry their resolution into effect;—that in doing so, they did not scruple as to the means which were to be employed;—that their hostile operations increased in proportion as the probable success of the settlement became more apparent—and that, at length, they thought fit to instigate those measures of violent aggression against it, which ended in robbery and bloodshed.

These occurrences were at first ascribed, by the North-West Company, to the *native Indians*,—but, as it became obvious that not a single Indian had been concerned in them, they next attributed them to the *Half-breeds*; a race over whom they stated they had no control. Their influence over the Half-breeds, however, is too notorious to be concealed, and upon what description of persons they will next

be driven to shift the blame, it is not easy to conjecture;—but, however remote the scene of these crimes may be,—however great the difficulty of obtaining speedy and effectual investigation;—and, above all, however bold and artful the attempts to misrepresent facts, and conceal the truth,—the public cannot continue much longer to be misled by vague assertions, or blinded by assumed concern at events which persons connected with the North-West Company pretend to have foretold, and which (in all human probability), had they wished, they could have entirely prevented.

It may be recollected, that when the question of establishing a regular agricultural settlement in the Hudson's Bay territories was first agitated, and when the grant to the Earl of Selkirk, for that object, was under discussion, certain individuals, concerned for the North-West Company in this country, stepped forward to express, in the Protest which has been formerly noticed, their humane concern at the distressing situation to which the emigrant settlers in Ossiniboia might be reduced; and anticipated, with much apparent solicitude, the difficulties in which the colonists would be plunged.—But however compassionate the language, which, at that time, was used by the persons concerned for the Company at home, they seem to have been over-matched in fine feeling by the Company's agents abroad.—Let us see how the Honourable Mr. William M'Gillivray, the agent and principal partner of the North-West Company in Canada, and member of the Legislative and Executive Councils of the Lower Province, expresses

himself to Sir Frederick Robinson, then in the temporary command in Upper Canada, who had applied to him for information with respect to the colonists at Red River.—On the 15th of August, 1815, (shortly after the arrival of the settlers who were brought, by the Company, to Upper Canada, and when it is impossible to suppose that Mr. M'Gillivray, then in that Province, could be ignorant of the real circumstances of the case,) he writes to Sir Frederick Robinson, transmitting a Statement drawn up by him on the subject.—In this Statement he mentions, among other things, that, “the disorder
 “excited in the country by those acts of violence*,
 “the disgust given to the settlers by the extensive disadvantages of the country, as well as the violence and
 “tyranny of their leader, and the dread of the natives,
 “Indians, and mixed breed†, all contributed to break
 “up the colony.—Some few of the settlers (about
 “fourteen families) have returned to Hudson's Bay,
 “and the remainder threw themselves upon the compassion of the North-West Company to obtain

* Alluding to the proceedings of Mr. Miles Macdonell.—See Appendix, [B.]

† In another part of this letter Mr. M'Gillivray talks of these Half-breeds as “being a daring and numerous race, sprung from
 “the intercourse of the Canadian Voyageurs with Indian women,
 “and who consider themselves as the possessors of the country,
 “and lords of the soil.”—It was some time ago rumoured that a formal petition had been presented to Government in behalf of these illegitimate Bois-Brulés as “lords of the soil!”—If they have become so, it doubtless must be by right of *conquest*, as even Mr. M'Gillivray will scarcely contend that they hold the lands by right of *inheritance*.

“ means of conveyance to Canada.—Some of them
 “ state upon oath that they left their homes in expect-
 “ tation of coming to Canada at once, and were only
 “ told of their actual destination at Stornoway in the
 “ island of Lewis, from whence the embarkation
 “ took place.—Others state, also upon oath, that
 “ they were informed the distance from Red River to
 “ Canada was short, and the communication easy,
 “ so that if they did not like that country, they might
 “ have it in their power to join their friends in
 “ Canada; and others state that they were to go to
 “ Canada by the way of the Red River.—Under
 “ these circumstances, partly from compassion to-
 “ wards these poor people, and partly from a dread
 “ of the consequences of their remaining in the in-
 “ terior, (because, in the event of the Indians attack-
 “ ing them, it was feared that the Hatchet, once
 “ raised, would not discriminate between a trader,
 “ and a settler, but that all the white men in the
 “ country might become its victims,) the North-West
 “ Company has offered these settlers a conveyance to
 “ this Province, and the means of subsistence since
 “ they left the Red River.”—&c. &c. &c.—And he
 concludes his letter to Sir Frederick (in which he
 forwarded this Statement) by “ begging his protec-
 “ tion and favour for the poor settlers.”—The writer,
 however, deceived himself in supposing that the
 “ fourteen families of settlers,” alluded to by him,
 had returned to Hudson’s Bay; for, at the very time
 he was composing his Statement, and pouring out his
 fine feelings in the answer to Sir F. Robinson’s official
 inquiry, these obstinate, and untractable families

were actually on their way back to their old station on the Red River.—When the two partners of the North-West Company (Cameron, and Alexander M'Donell) had proceeded towards Canada with their followers, these settlers voluntarily returned from the North end of Lake Winipic, to resume possession of their lands, and to re-establish the settlement ; and this they did in spite of “ the extensive disadvantages of the country,” the “ indiscriminating hatchet of the Indian,” or, what was worse than either, the canting “ compassion of the North-West Company.”

But we cannot yet part with Mr. M'Gillivray.—In his communication to Sir Frederick Robinson he refers to certain “ statements upon oath,” of some of the settlers who were brought down to Canada. It is sufficiently obvious, however, that these depositions, whatever they may contain, should be received with the greatest doubt and suspicion.—In the first place, those who were examined, were persons who had been seduced to the commission of crime by partners of the North-West Company, and were then at Fort William, under the control, and at the disposal, of those who had seduced them. In the second place, the persons who specially superintended these examinations, were no other than Mr. Alexander M'Donell, the Company's partner who was so active in their seduction, and Mr. Norman M'Leod, another partner, (and a Magistrate for the Indian territory,) whose activity, of a similar description, will appear sufficiently conspicuous in the sequel.—Besides, before these statements are at all to be attended to, we ought first to be satisfied that none of the persons examined

were of the number of those forty-eight settlers, labourers, and others, whose names appear in the account book made out at Fort William, and which specifies the sums respectively paid to them by the North-West Company, for their services,—as “true partisans,” together with the credits allowed them for articles which they had plundered from their employer, and sold to that very Company, of which two of the most active partners were now selected for the purpose of taking these examinations.—The receiver of stolen goods is surely not a fit person to take the examination of the thief!—But this is not all.—There is evidence that while Messrs. Alexander M'Donell, and Norman M'Leod, were thus employed in superintending those examinations, they evinced the greatest anxiety (and naturally enough too) that any circumstances might be discovered which could bring discredit upon the settlement at Red River, or blame on its management:—and there is also evidence that while the examinations were going on, M'Donell received a special written direction from one of the leading partners of the Company, then at the Sault St. Mary, to hasten these depositions, suggesting the expediency of at once getting at something that might throw blame on the Earl of Selkirk; and that he (M'Donell) should endeavour to find out some of the settlers *who could, or would*, swear to circumstances which might have that effect.—What the result of M'Donell's inquiry among the settlers for this object was, does not appear.—He probably succeeded in getting something which he thought would suit the purpose; for he

seems to have been a most indefatigable partner, either in the closet or the field.—Twelve months had not elapsed since we found him transmitting a dispatch to his correspondent at Montreal, that he was, then, by fair means or foul, preparing “to commence “open hostilities against the enemy in Red River,”—and now, having obtained the victory, we find him superintending in person, the solemn examinations of his prisoners on oath!—a “true partisan”—equally prepared to pursue his object with the Testament, or the tomahawk.

In a former part of this Statement, it has been mentioned that the Earl of Selkirk had received information, in the beginning of the year 1815, that it was suspected the Indians were likely to make an attack upon the Red River settlement; and, although the specific ground of that suspicion had not been communicated, he lost no time in applying to Government for some military aid and protection. By affording to the colony, in its infancy, a small portion of such assistance, there was every reason to believe that, in a very short time, it would have become able to protect itself. But it will appear obvious, that the Provincial Government refused to give the protection, without having instituted a sufficient inquiry for the purpose of ascertaining if it was expedient to grant it.

In order to support his settlers by his personal exertions, the Earl of Selkirk went to America, in the autumn of the year 1815.—On his arrival at New York, in his way to Canada, he received intelligence of the dispersion of the colonists, and the destruction

of the settlement. He proceeded immediately to Montreal, where he soon learnt that the Indians had no concern whatever in the transaction, and he adopted, without delay, the requisite steps to obtain substantial evidence with respect to the acts which had taken place, and the persons by whom they were committed.—The settlers who had been brought down to Canada, were now dispersed in both Provinces, and many of them in great distress.—That distress was ascribed to his Lordship, as a matter of course, and not to those who had first seduced, and then abandoned them.—The North-West Company had no further use for their services ;—the expense of bringing them down to Canada had already proved sufficiently burthensome ;—and, of course, the splendid promises made at the banks of the Red River, of lands in the Canadas, high wages, great encouragement, &c. &c. were all forgotten on the shores of the St. Lawrence.—But it is not unworthy of remark, that no sooner was it understood that Lord Selkirk was proceeding to York, in Upper Canada, for the purpose of carrying on his inquiries, than rations of provisions were ordered to be issued, by the North-West Company's agent there, to those of the settlers who had been brought down to that place, and who had not obtained employment.

Numerous affidavits were now taken, upon Lord Selkirk's application, before various magistrates, both in Upper and Lower Canada.—Many of the settlers, labourers, and others, who had belonged to the Red River colony, and who had been brought away by the North-West Company, were themselves

examined. In addition to the evidence thus obtained, depositions had been taken (and sent to England by the way of Hudson's Bay) of those officers and settlers, who, remaining true to their engagements, had refused to come down to Canada. — These depositions, together with other proofs, which had been obtained, formed so strong a chain of evidence, as to leave little doubt who the persons were, by whom the acts of violence had been instigated, and committed.

While occupied in these important investigations, Lord Selkirk received information that the Red River Colony had been again re-established; and that the body of settlers, which had withdrawn to the North end of Lake Winipic, had returned to the settlement, after Cameron and Alexander M'Donell, with their followers, had left the Red River. — On the receipt of this intelligence, Lord Selkirk dispatched a messenger into the interior, for the purpose of giving notice to the settlers of his arrival in America; and of his intention, as soon as the river navigation was open in the spring, to join them at the settlement with every means he could obtain, to secure their protection: — but the messenger he sent was waylaid, and robbed of his dispatches*.

* These letters were entrusted to a person, named Lagimoniere, whom Lord Selkirk could depend upon, and who had made a hazardous winter journey on foot of upwards of two thousand miles, for the purpose of bringing intelligence to Montreal, from the Red River, of the re-establishment of the colony. With respect to his being robbed, on returning to the interior, see the Declaration of the Chipewa Chief, before the Council of the Indian Department, in the Appendix, [U.] — Lagimoniere was

Reports began now to be circulated of the probability of renewed aggression against the colony in the spring.—It was not very likely indeed that the opponents of colonization would sit tamely down, and permit the agricultural pursuits of the settlers to revive at Red River, without some attempts to prevent them.—In addition to their original inveteracy, they were probably not a little irritated at the resolution evinced by the colonists, in endeavouring to re-establish the settlement after their former dispersion :—And it was therefore not doubted in Canada, by those most likely to be best informed, that another attempt would be speedily made to destroy it.

waylaid in the night-time, near the Fond du Lac Superior, by some Indian hunters (employed for the purpose by the North-West Company,) who beat him in a shocking manner, and plundered him of his dispatches, his canoe, and every thing it contained.—The order to intercept him was issued from Fort William on the 2nd of June, 1816, by Mr. Norman McLeod. “The intention of this express,” says this magistrate in writing to his partner at Fond du Lac, “is to tell you that Lagimoniere is again to pass through your Department on his way with letters to Red River. As a precautionary measure, he must absolutely be prevented proceeding, or forwarding any letters. He and the men along with him, and an Indian guide he has, must all be sent, with their budget, to this place, here to await the result of future proceedings. It was a matter of astonishment to many, how he could have made his way last fall through Fond du Lac Department.—This, no doubt, you will be able satisfactorily to explain.” The Indians who performed the service were credited in the books of the North-West Company, with the sum of one hundred dollars. Several of the letters, in Lord Selkirk’s hand-writing, have been since found among some loose papers at Fort William.

The Earl of Selkirk again endeavoured, by every means in his power, to procure some small military protection for the settlers ; but his application to Sir Gordon Drummond, (who then administered the Government of Canada) was unsuccessful ;—and his endeavours seem to have been equally fruitless to learn the reasons of the refusal.—In making this assertion, however, it is requisite to state the ground upon which it is founded.

In the months of March, and April, 1816, when numerous reports were in circulation, in Canada, of the intended renewal of hostility against the Red River Colony, an official correspondence, of very considerable length, took place between Sir Gordon Drummond, and the Earl of Selkirk. It appears that the latter, having collected much evidence from various quarters, with respect to the attack upon the settlement in the former year, was preparing to have the proofs submitted to the Provincial Government. The object of laying that body of evidence before his Excellency, was to point out the description of persons who had instigated the former aggressions, and to shew that, from the same quarter, a renewal of the outrages might be looked for. In a letter to Sir Gordon Drummond, of the 11th March, 1816, his Lordship, among other things, says,

“ I beg leave to observe, that I consider this matter,” (namely a small escort which he had requested for his personal security in going to the interior,) “ as totally distinct
 “ from the permanent protection to be afforded to the settlers
 “ on Red River, in pursuance of Lord Bathurst’s instructions
 “ to your Excellency of March last.—I have the honour to remain
 “ your obedient servant”

“ Excellency of my letter of November 11th, to which no
 “ final answer has yet been given.—But I forbear to press
 “ for an immediate decision on that subject, as I shall soon
 “ have occasion to lay before your Excellency some very
 “ important documents, containing evidence which has come
 “ to my knowledge since the period I refer to ;—evidence
 “ which must remove every shadow of doubt as to the pro-
 “ priety of an immediate compliance with the instructions
 “ in question.”

Sir Gordon Drummond, in his reply to this part of the subject, says,

“ I beg leave to acquaint your Lordship, that having,
 “ upon a full consideration of the subject, and after an at-
 “ tentive perusal of the numerous documents relating to it
 “ which have passed through my hands, declined a compli-
 “ ance with a requisition which was made to me for a mi-
 “ litary detachment to be permanently stationed for the
 “ protection of your Lordship’s settlement on the Red
 “ River; and having fully stated to Earl Bathurst my rea-
 “ sons for this refusal, I cannot consent to take any steps
 “ which I consider at variance with that decision, until I
 “ am furnished with the further and more specific instruc-
 “ tions of his Majesty’s Government, to whom I have referred
 “ on the subject.—Having distinctly stated this in the con-
 “ versation which I had the honour to hold with your Lord-
 “ ship at the time that you placed in my hands your letter
 “ of the 11th, November, I had not apprehended that your
 “ Lordship would have expected any further answer to that
 “ letter, or otherwise, I have to assure your Lordship that it
 “ should not have been for a moment withheld.”

Lord Selkirk, in his answer to Sir Gordon Drummond, observes,

“ With respect to my letter of November 11th, and the

“ conversation which I had the honour of holding with your
 “ Excellency, on the subject of military protection for the
 “ settlers on Red River, I certainly did not understand you
 “ to express a determination so absolute, that no change
 “ could be made upon it, even by a change of circumstances,
 “ or by the discovery of facts of primary importance, pre-
 “ viously unknown to you. To justify such a resolution,
 “ thus unalterable, I cannot doubt that your Excellency
 “ must have reasons of a more decisive nature than any
 “ which I can recollect you to have stated in conversation ;
 “ and as your Excellency has expressed your intention of
 “ communicating to the North-West Company your mo-
 “ tives for allowing a personal escort for myself, I trust,
 “ that, in like manner, I may receive an explanation of the
 “ reasons which induce you to withhold from the settlers
 “ that protection which his Majesty’s Government had con-
 “ sented to allow.”

Some time afterwards, the subject was again press-
 ed upon Sir Gordon Drummond, as appears by the
 following letter addressed to him by Lord Selkirk :

“ MONTREAL, *April 23rd*, 1816.

“ SIR,

“ In referring to the letters which I have had oc-
 “ casion of late to address to your Excellency, it appears that
 “ I have not fully informed you of the re-establishment of the
 “ settlement on Red River, which took place last autumn ;
 “ little more than two months after its destruction appeared
 “ to have been accomplished.—Your Excellency has been
 “ apprized that a part of the settlers refused to enter into
 “ the views of the North-West Company, and, when over-
 “ powered by superior numbers, retired towards Hudson’s
 “ Bay ;—But as soon as the ruffians, who had been assem-
 “ bled from various quarters to attack them, had dispersed,
 “ they returned to their former settlements, and have since been

“derable reinforcement of people who had recently arrived
 “from Europe. At the date of the last advices, in October,
 “they were living on the best terms with the Indians and
 “half-Indians in their neighbourhood, and were under no
 “apprehension of any enemies but those which they ex-
 “pected to be again excited against them by the malice of
 “the North-West Company.

“Your Excellency has not condescended to inform me
 “of the grounds on which you had refused to comply with
 “Lord Bathurst’s instruction ‘to give such protection to
 “‘the settlers at Red River, as could be afforded without
 “‘detriment to his Majesty’s service in other quarters,”
 “and it is not improbable that you may have been influ-
 “enced by the idea of the settlement having been totally
 “and irrecoverably destroyed.—I think it my duty, there-
 “fore, to inform your Excellency of the real state of the
 “fact, and at the same time to point out the probability
 “that the same persons who plotted the destruction of the
 “settlement last year, will make another attempt upon it
 “this spring; encouraged by the knowledge of the deter-
 “mination which your Excellency took last summer, not to
 “send any military force for the protection of the settlers.

“Though I have not been distinctly informed of the
 “grounds of that determination, I have received important
 “hints as to some reasons which appear to have had weight
 “with your Excellency.—So far as these are known to me,
 “I can pronounce with confidence, that they are founded
 “on misinformation, and can pledge myself to bring satis-
 “factory proof to this effect.

“When I had the honour of seeing your Excellency in
 “November, I understood you to be apprehensive, that
 “the employment of a military force at Red River would
 “be viewed with jealousy by the Indians.—I also understood
 “that you had doubts as to the expense of sending troops
 “there; and I have been informed by the last letters which
 “I have received from London, that, in a communication

“ from your Excellency to Lord Bathurst, it had been stated
 “ to be altogether impracticable to convey troops to that
 “ country.—If these are the objections which still weigh
 “ with your Excellency, I can have no doubt that they may
 “ be removed.

“ With respect to the Indians, I have, from unquestion-
 “ able authority, such positive information of their favour-
 “ able dispositions, that I cannot entertain a doubt of his
 “ Majesty’s troops being received as friends and protectors,
 “ by the Indians as well as the settlers ; so that nothing but
 “ ordinary discretion, on the part of the officers, can be
 “ requisite for maintaining harmony. So confident am I
 “ on this point, that if your Excellency will allow a com-
 “ pany of soldiers to be sent up, and will entrust the selection
 “ of the officers and men to Colonel Darling, I will take
 “ upon myself the entire responsibility, if any such bad
 “ consequences (as I conceive your Excellency to appre-
 “ hend) should arise on the part of the Indians*.

“ With respect to the difficulty, and expense, of con-
 “ veying the men, I am ready on that point also to relieve
 “ your Excellency of all the trouble and responsibility. All
 “ that I ask is your authority for the Commissary General
 “ here to issue out of his stores, such articles as may be

* The Earl of Selkirk was wrong in supposing that the Governor of Canada could have adopted, with propriety, any measure within his government, upon the responsibility of his Lordship, or of any other private individual whatever. The responsibility must of course have rested with the person administering the government. The circumstance, however, tends to shew how anxious Lord Selkirk must have been to protect the colonists from the sanguinary attack which, he was so well assured, would take place ; and that, if any blame should eventually occur, (in consequence of military protection being granted as a measure of precaution) that he wished none of that blame should attach to any one but himself.

“ required for the outfit, and supply of the expedition,—
“ leaving it to his Majesty’s Government at home to decide,
“ whether these articles are to be allowed as for the public
“ service or not; and, in the event of their not being allowed,
“ I will be responsible that these articles shall be either re-
“ placed, or paid for, as may be desired.

“ The only other difficulty, of which I have ever heard a
“ surmise, is, that the officer in command might be placed
“ in embarrassing circumstances, as to the proper line of
“ his duty, if called upon to support the civil magistrate,
“ in the event of disputes between the different persons who
“ claim authority.—I flatter myself that this difficulty will
“ soon be obviated by a reference to the opinion of the At-
“ torney and Solicitor General of England as to the claims in
“ dispute.—In the mean time, I conceive that your Excel-
“ lency ought to refer the question to the Attorney-General
“ of the Province, and that if his opinion be taken as a guide,
“ the officer in command will certainly be exonerated from
“ all responsibility.

“ In your Excellency’s letter to me of the 15th ultimo, I
“ am informed that, having stated to Lord Bathurst your
“ reasons for refusing to send a military detachment to Red
“ River, you could not take any other step, till you should
“ receive farther instructions. I beg leave, however, to ob-
“ serve, that this determination, having been communicated
“ to Lord Bathurst previously to my letter of Nov. 11th,
“ must have been grounded altogether on the information
“ derived from the North-West Company; for, at that
“ date, no information at all had been laid before your Ex-
“ cellency on my part, or that of the Hudson’s Bay Com-
“ pany, of a later date than February 1815. At that period
“ we could only state grounds of apprehension, as to the
“ intention of our enemies. Since my arrival in this Pro-
“ vince, I have collected most decisive evidence as to the
“ conduct actually pursued by them—evidence which must
“ have been entirely unknown to your Excellency at the

“ date of your communication to Lord Bathurst ; and even
“ now you are not in possession of one-tenth part of the facts
“ which I can undertake to prove.—In my letter of 11th
“ ultimo I offered to lay the evidence before your Excel-
“ lency, and your reply gave me to understand, that it was
“ too late to be taken into consideration.

“ I presume, however, that the instructions given by
“ Lord Bathurst in March 1815, have never been recalled ;
“ and till they are positively and explicitly recalled, I con-
“ ceive that it remains in your Excellency’s discretion, to
“ act upon them if you see fit ; and that you cannot be
“ precluded from the exercise of that discretion, by any
“ determination which you may have expressed, while you
“ were under an erroneous impression as to the real state of
“ the facts, or while the circumstances of the case were
“ different from those which now exist. The re-establish-
“ ment of the settlement, and the probability of a renewal of
“ hostile attacks against it, call loudly for a revisal of your
“ determination. The occurrences of last summer prove,
“ beyond all possibility of doubt, that the countenance of
“ the public force is necessary for the protection of the
“ settlers against the lawless violence of their enemies ; and
“ the instructions which your Excellency received last year
“ from Lord Bathurst cannot leave any doubt as to the
“ intentions of his Majesty’s Government to afford pro-
“ tection, and not to abandon the settlers to their fate, as if
“ they were out of the pale of the British Empire.—If,
“ however, your Excellency persevere in your intention to
“ do nothing, till you receive farther instructions, there is a
“ probability, almost amounting to a certainty, that another
“ season must be lost, before the requisite force can be sent
“ up ;—during another year the settlers must remain ex-
“ posed to attack, and there is every reason to expect that in
“ consequence of this delay, many lives may be lost.

“ That this calamity can only be averted by the means
“ pointed out in Lord Bathurst’s instructions, and that no

“ reasonable objection lies against that measure, are
 “ points of which your Excellency cannot fail to be con-
 “ vinced upon a careful re-examination of the subject, when
 “ you have the whole evidence before you, and can bestow
 “ equal attention on both sides of the question.

I have the honour to be,

“ &c. &c. &c.

(Signed) “ SELKIRK.

“ *To His Excellency*

“ *Sir Gordon Drummond,*

“ &c. &c. &c.”

In answer to this letter, his Lordship received the following reply from Sir Gordon Drummond :—

“ *Castle St. Lewis,*

“ *QUEBEC, 27th April, 1816.*

“ MY LORD,

“ I have to acknowledge the receipt of your
 “ letter of the 23rd instant, and regret extremely to find that
 “ your Lordship deems it necessary to urge me on a point
 “ to which I have already so fully and so candidly replied.

“ I trust that the communication which I made on the
 “ 25th instant, both to your Lordship and to the partners
 “ of the North-West Company, will have the desired effect
 “ of preventing a repetition of the mutual proceedings and
 “ outrages which have been made the subject of complaint
 “ to his Majesty’s Government, and which were so strongly
 “ denounced in the dispatch of Earl Bathurst, cited in the
 “ above communication.

“ I have the honour to be,

“ &c. &c. &c.

(Signed) “ GORDON DRUMMOND,

“ *Earl of Selkirk.*”

The following was the letter (of the 25th of April) referred to by Sir Gordon Drummond in his above-mentioned communication, and the answer to which is also subjoined : —

“ CASTLE OF ST. LEWIS, QUEBEC,

“ 25th April, 1816.

“ MY LORD,

“ Having received from my Lord Bathurst a dispatch, in which his Lordship acquaints me that many complaints had been made to him of the violent proceedings, and mutual outrages, of the servants of the North-West, and Hudson’s Bay Companies, in the remote parts of his Majesty’s North American dominions, which, if persevered in, may ultimately lead, not only to the destruction of the individuals concerned, but of others of his Majesty’s subjects ; I am, therefore, in obedience to his Lordship’s commands, to desire that your Lordship will, without loss of time, inculcate on these servants and agents of the Hudson’s Bay Company, who may be under your control, or within your influence, the necessity of abstaining from a repetition of those outrages which have been lately so frequent a cause of complaint ; and I am to convey to your Lordship the determination of his Majesty’s Government to punish, with the utmost severity, any person who may be found to have caused or instigated proceedings so fatal to the tranquillity of the possessions in that quarter, and so disgraceful to the British name.

“ I am to acquaint your Lordship that a similar communication has been made to Mr. M’Gillivray, as one of the principal partners of the North-West Company.

“ I have the honour to be,

“ &c. &c. &c.

“ (Signed) “ GORDON DRUMMOND.

“ *Earl of Selkirk.*”

"SIR,

"I have to acknowledge the honour of your
"Excellency's letter of the 25th, communicating the receipt
"of a dispatch from Lord Bathurst relative to the com-
"plaints which have been made to him of violent pro-
"ceedings between the servants of the North-West, and
"Hudson's Bay Companies.

"It gives me very great pleasure to learn that his Ma-
"jesty's Government are at length determined to punish
"the authors of these outrages.—I shall not fail to commu-
"nicate your Excellency's letter, not only to the persons
"in my own employment, but also to the servants of the
"Hudson's Bay Company, with whom I have any corre-
"spondence.—At the same time, I must be permitted to
"observe, that the uniform tenor of my own instructions
"has been exactly conformable to that which Lord Bathurst
"now inculcates; and this has also been the case as to the
"instructions given by the directors of the Hudson's Bay
"Company to their servants.—Of this I can speak of my
"own certain knowledge for the last six years, and I have
"every reason to believe that the case was the same before
"that time.—I must also take the liberty of observing,
"that the Hudson's Bay Company are possessed of ample
"materials to prove that the outrages which Lord Bathurst
"speaks of have not been 'mutual,' but all on one side.—
"As, however, the proof of this assertion may require an
"investigation of some length, I beg leave to point out two
"very obvious considerations of probability, of which,
"Lord Bathurst cannot fail to perceive the force.

"In the first place, the establishment of men in the
"service of the Hudson's Bay Company, does not amount
"to one-third of the number employed by the North-
"West Company.—Whether is it most probable that a
"system of aggression and violence should originate with
"the weaker party, or with the stronger?

"In the second place, your Excellency is aware, that,

“ for more than a year past, it has been the anxious wish
“ of the Hudson’s Bay Company, that a party of troops
“ should be stationed in these parts of his Majesty’s
“ dominions for the purpose of preserving the peace.—Is it
“ probable that such an application should come from a
“ body of men who are disposed to encourage their servants
“ in acts of violence and outrage?

“ I have the honour to be,

“ &c. &c. &c.

(Signed) “ SELKIRK.”

“ *His Excellency*

“ *Sir Gordon Drummond.*”

After a perusal of the Documents above referred to, can there exist a doubt that the Earl of Selkirk made every exertion in his power to warn the Provincial Government of the apprehended renewal of those outrages which had caused the destruction of the Red River settlement in the year 1815?—Is it not obvious that he not only pointed out the evil, but suggested the remedy? and that, in doing so, he had not forgotten to consider the most likely means of securing, from subsequent blame, those individuals who might be appointed personally to assist in protecting the colonists, and keeping the peace?

From the letters, however, which he received from the Provincial Government, it may be collected, that the measures of precaution which had been applied for, were not only refused, but that a determination had been made not to communicate to him the grounds of the refusal. The Governor, or person administering the government, of Canada, no doubt, had a right to give, or to withhold, the reasons of his dissent.—He might think it was sufficient that he had communicated them,

the year before, to his Majesty's Government.—But, as a candid communication of the grounds of his former decision might eventually have been the means of his becoming better informed;—and as, at all events, the consideration of the additional evidence which was offered by the Earl of Selkirk, could not have made him less master of the subject,—it is difficult to guess what just reason can be assigned for the refusal.—The dispatch from the Secretary of State, conveying the determination of his Majesty's Government (as stated in Sir Gordon Drummond's letter of the 25th of April), to punish, with the utmost severity, those persons who were found to have caused, or instigated, the proceedings in question, surely required from the Provincial Government, an immediate, and a rigid, inquiry. How could the persons be punished until they were known? and, perhaps, the very last person in Canada, whom Sir Gordon Drummond ought to have requested to guide him in the search, was the individual upon whom, it would appear, he chiefly, if not exclusively, relied for information.—Whatever might have been the private opinion which he entertained of the chief agent of the North-West Company, that agent was surely not the proper channel through which information ought principally to have been sought for upon matters in which the Company itself appeared to be so deeply implicated.—Delicacy even towards Mr. M'Gillivray himself, ought, certainly, to have prevented the question from being put to him. It is not meant, in the slightest degree, to insinuate that the Provincial Government, in thus applying to the

principal agent of that Company, had any doubt whatever but that accurate information would be thereby obtained. Mr. M'Gillivray was among the highest in point of rank within the province, and a member of the Council; and, in applying to him, Sir Gordon Drummond, without doubt, concluded he was directing his inquiries to one who was enabled, from his situation, to assist him on the subject.— But, if he resolved to consult him, he ought to have consulted him along with others, and not to have remained satisfied with the answers exclusively given by an agent of that body against which such heavy charges had been made, and officially submitted, to his Majesty's Government.

That Sir Gordon Drummond did, from the first, rest satisfied with such answers as the principal agent for the North-West Company chose to communicate, can scarcely be doubted by any one who will peruse the following letter addressed, by his Excellency's direction, from the adjutant-general at Quebec, to the Earl of Selkirk's agents at Montreal, previous to his Lordship's arrival in Canada.

QUEBEC, 12th July, 1815.

“ GENTLEMEN,

“ Referring to my letter to you of the 8th ultimo.
 “ inclosing a copy of a communication proposed to be made
 “ to Mr. M'Gillivray, containing certain queries relative to
 “ the danger with which the settlers on Red River are sup-
 “ posed to be threatened from the hostility of the Indians,
 “ instigated by the servants of the North-West Company,
 “ I am directed by Sir Gordon Drummond to acquaint you
 “ that that letter has been answered by Mr. M'Gillivray in

“such a manner as would have removed from his Excellency’s mind all traces of any impression unfavourable to the honourable character, and liberal principles, of the heads of the North-West Company, had any such impression existed.

“On a full consideration, however, of the statements, and documents, now before him, Sir Gordon Drummond is of opinion, that if the lives and property of Lord Selkirk’s settlers are, or may hereafter be, endangered, that danger will arise principally from the conduct of Mr. Miles Macdonell, his Lordship’s agent, who appears to his Excellency to be actuated by any thing but a spirit of moderation or conciliation in his language and demeanour towards the servants of the North-West Company. He has moreover assumed powers which cannot possibly, in his Excellency’s opinion, have been vested in him, or in any agent, public, or private, of any individual, or of any chartered body*.—The legality, however, or otherwise, of the proclamations issued by Mr. Miles Macdonell (copy of two of which are enclosed) will of course be determined in a court of law in Great Britain, to which they have, very properly, been referred by the North-West Company†. The papers which accompanied your letter are herewith returned, copies having been

* How far Sir Gordon Drummond’s legal opinion ought to have weight with respect to the powers, and commission, held by Mr. Miles Macdonell, as a governor in one of the Hudson’s Bay Company’s Establishments, under the specific provisions of a Royal Charter, it is not requisite to inquire. At all events he appears to differ from Mr. Justice Holroyd, Sir Samuel Romilly, and the other English lawyers, whose names appear in the Appendix, [A.]

† No such reference to any court of law in Great Britain, has ever been heard of.

“ retained for transmission to the Secretary of State, before
 “ whom it has been his Excellency Sir Gordon Drum-
 “ mond’s endeavour, to place the whole case, as fairly and
 “ fully as possible.

“ I have the honour to be,

“ Gentlemen,

“ Your obedient humble servant,

(Signed) “ J. HARVEY.”

“ *Lieut.-Col. &c. &c.*”

“ *Messrs. Maitland, Garden, }
 and Auldjo.*” }

If this letter should not be deemed sufficient to establish the fact of the Provincial Government having been fatally led to rest satisfied with the information obtained from those who were connected with the parties accused, the perusal of another one from the same quarter, (written a few weeks previous to that above quoted,) and addressed to the Honourable Mr. William McGillivray, will probably remove any doubt which may remain on the subject. This document, although it appears to have been of a confidential nature, was officially made use of by one of the leading Partners and Agents of the North-West Company, and transmitted, by him, to his Majesty’s Government, in the month of June, 1815.

“ QUEBEC, *June 14th*, 1815.

“ CONFIDENTIAL.

“ MY DEAR SIR,

“ Sir Gordon Drummond has received a commu-
 “ nication from high authority, desiring him to make in-
 “ quiry into the foundation for a strong degree of alarm
 “ which appears to be entertained by the Earl of Selkirk,
 “ and the Hudson’s Bay Company, for the safety of their

“ settlers on Red River, in consequence of an idea which
 “ had been instilled into their minds by persons resident
 “ in Canada, that the Indian tribes in the neighbourhood
 “ of that settlement have been instigated to commit the
 “ horrid and atrocious act of attempting the destruction of
 “ the whole population of that settlement.

“ I must not conceal from you that some of the servants
 “ of the North-West Company are suspected of being con-
 “ cerned in this diabolical act. Sir Gordon Drummond
 “ however feels that he cannot more strongly evince the
 “ high respect which he entertains for the head of that
 “ most respectable body, and his perfect confidence in
 “ their candour and liberality of sentiment, than by the
 “ course which he has not hesitated to adopt of applying
 “ himself direct to them for the information which they
 “ assuredly possess the best means of affording, and which
 “ his Excellency is equally assured they are too honourable
 “ and conscientious to withhold.

“ I am commanded therefore to ask you if there exists
 “ in your opinion any reasonable grounds for believing that
 “ the atrocity alluded to is in the contemplation of the
 “ Indians in question, or that the safety of the persons, or
 “ property, of the settlers on the Red River is endangered
 “ from the causes above referred to?

“ Whatever may be the answer to this query, I am com-
 “ manded to remind you, that the powerful body of which
 “ you are the head, far more than the government of these
 “ provinces, possess the means of influencing the actions
 “ of these remote tribes of Indians with whom they alone
 “ hold an intercourse, whose wants they alone supply, and
 “ whose conduct they alone can control.

“ The North-West Company, therefore, will be con-
 “ sidered responsible in the eye of the world, as well as in
 “ those of his Majesty's Government, for any such horrid
 “ catastrophe as I have alluded to, whether arising from
 “ the instigations of their subordinate agents, or from the
 “ influenced malignity of the Indians themselves.

“ Sir Gordon Drummond feels assured that by this
 “ appeal he has more effectually provided for the safety of
 “ his Majesty’s subjects inhabiting the shores of Hudson’s
 “ Bay, than it would be in his power to do by any other
 “ measure whatever.

“ His Excellency being ill-provided with maps or charts
 “ of that remote part of his Majesty’s dominions, in which
 “ the Red River is situated, has directed me to request that
 “ you will favour him with the loan for a short time of any
 “ good one which may be in your possession*.

(Signed)

“ J. HARVEY.”

“ *The Honourable*

“ *William M^cGillivray.*”

Upon these documents it is not necessary to make any comment. Sir Gordon Drummond evidently thought he was thus adopting a step, which would enable him to give the information required by his Majesty’s Government.—That it was his wish to learn the truth, and to avert the danger, is apparent. At the same time it is obvious that he was much in error; which has been but too clearly and fatally proved, by the lamentable consequences which ensued.

No hope being now entertained of obtaining military protection for the Settlement,—a circumstance soon afterwards occurred, which appeared to afford, to the Earl of Selkirk, an opportunity not only of procuring a body of efficient settlers for the colony, but of materially adding to its strength and security.

* See the letter, in which the document (above cited) was officially transmitted to the Secretary of State, in Appendix, [D.D.]

In consequence of the peace with America, the regiments of De Meuron, Watteville, and the Glengary Fencibles in Canada, were reduced. The privates, as well as the officers, were entitled, on their discharge, to have lands assigned them in the Canadas, in which case the men (of the two first mentioned regiments) were not to be brought home to Europe. Nearly two hundred of the Meuron Regiment remained in America, and of these about eighty, together with four gentlemen who had been officers in the regiment, instead of remaining in Canada, preferred going to the Red River settlement with the Earl of Selkirk. His Lordship entered into regular written agreements with each of these men, in like manner as he had done with his other settlers, and labourers at the colony.—They were to be paid at a certain rate per month for navigating the boats up to Red River;—were to have lands assigned to them at the settlement;—and, if they did not chuse to remain there, they were to have a free passage back to Montreal; or, if they preferred it, were to be conveyed, at his Lordship's expense, to Europe, by the way of Hudson's Bay. Besides the discharged soldiers of the regiment of Meuron, there were about twenty of that of De Watteville, who engaged on similar terms. A few of the Glengary Fencibles, with one of their officers, also joined him. When these men were discharged, they were no longer soldiers. They retained their clothing, as is usual in such cases, and Lord Selkirk furnished them with arms, as he had done to his other settlers,—a measure which Government itself had more than sanctioned in the year 1813, having ordered the

Board of Ordnance, at that time, to issue some small field-pieces, and a considerable number of muskets, and ammunition, for the use of the Red River colony. —Much obloquy has been thrown upon the Earl of Selkirk by his opponents, for having entered into engagements with these discharged soldiers, but it is not easy to discover the grounds of their censure. These men had an undoubted right to enter into such agreements with the Earl of Selkirk, and the latter had an undoubted right to enter into contracts with them. The Provincial Government was apprised by his Lordship of the measure he was adopting, and of his views with respect to these people.—With this body of men, therefore, as an addition of strength to his settlement, Lord Selkirk proceeded towards the interior, in confident hopes that he would arrive at the Red River before any renewed aggression was directed against the colony:—but in this he was disappointed.

When he reached the Falls of St. Mary, between Lakes Huron and Superior, a party of his people, which had been forwarded from Montreal in light canoes, that they might arrive at the Red River with all possible dispatch, fell back, and, brought him intelligence that the settlement was again destroyed. They stated, in addition, that many of the settlers, together with Mr. Semple, the Governor of the Hudson's Bay Company's territories, who happened to be there at the time, and also several others in the service of that Company, had been killed. Those who brought this intelligence had not reached so far as the Red River; for, having been informed, about the en-

france of Lake Winnipic, that the colony was broken up, and the settlers dispersed, they had thought it needless to proceed.—Their account was vague, but, at the same time, there was no reason to doubt that the lamentable event, so reported, had actually taken place. It was also asserted, that several of the settlers, and others, had been brought down from the Red River as prisoners, by the North-West Company, and were detained in custody at their trading post at Fort William. Previous to this intelligence, Lord Selkirk had no intention whatever to go to that place. The route he had fixed on lay quite in a different direction, namely by the Fond du Lac (at the upper, or West, end of Lake Superior) the River St. Louis, and the Red Lake, at which place he had sent directions that boats and provisions from the colony on Red River should meet him, and his new settlers. He had even dispatched, from the Falls of St. Mary, the boats with his people, to proceed along the South shore of Lake Superior, so as to avoid all collision with the North-West Company's establishments, and intended to follow them in his own canoe, when the intelligence was communicated to him of the destruction of the settlement.—Finding, therefore, that the colonists were dispersed, and the settlement destroyed, he was, of course, prevented from proceeding in the direction he intended; and he resolved to go to Fort William, and demand the release of those who were in custody, or ascertain the grounds of their detention.

The difficulty and distress in which he was placed will, perhaps, be best seen in the account which his

Lordship dispatched (from the Falls of St. Mary, 29th July), to Sir John Sherbrooke, who had recently been appointed Governor in Chief of the Canadas.—

“ It is with feelings of the most anxious concern,” observes his Lordship, “ that I have to add the information recently received here of the success which has this season attended the unprincipled machinations of the North-West Company, who have again effected the destruction of the settlement on Red River, with the massacre of about twenty of the settlers and servants of the Hudson’s Bay Company. The circumstances attending this catastrophe, and those which immediately led to it, have, as yet, reached me only in a very imperfect manner, and through channels which cannot fully be depended upon. I have no doubt that the North-West Company are in possession of more accurate information, but the interest they have to misrepresent the facts, must be too evident to require any comment. Of this I am confident, that Mr. Semple was not a man likely to act in a violent or illegal manner, so as to give any just ground for such an attack as appears to have been made. I trust that, in the course of a few days, I may obtain more complete information on this subject, at Fort William, where are now assembled many persons who must have direct knowledge of the facts, and on whom I propose, as a magistrate, to call for information. In the delicate situation in which I stand as a party interested, I could have wished that some other magistrate should have undertaken

“ the investigation. In this view I have applied to
“ two very respectable gentlemen in this neighbour-
“ hood, who are qualified as magistrates for the
“ western district of Upper Canada*, and the only
“ persons so qualified who could be expected to go
“ to such a distance. Both of them, however, have
“ avocations which render it impossible to comply
“ with my request; I am therefore reduced to the
“ *alternative of acting alone, or of allowing an auda-*
“ cious crime to pass unpunished. In these circum-
“ stances, I cannot doubt that it is my duty to act,
“ though I am not without apprehension that the law
“ may be openly resisted by a set of men who have
“ been accustomed to consider force as the only cri-
“ terion of right.

“ I have the honour to be,

“ &c. &c. &c.

(Signed) “SELKIRK,”

“ To His Excellency

“ Sir John Sherbrooke,

“ &c. &c. &c.”

Lord Selkirk accordingly directed his course to Fort William, and entering the River Kaministigoia, near the mouth of which Fort William is situated, proceeded nearly a mile above it, and made his people pitch their tents on the opposite bank.—A number of the partners of the North-West Company were now assembled at the Fort, or trading post, and, among them, Mr. William M'Gillivray, their prin-

* These were Mr. Askin of Drummond's Island, and Mr. Ermatinger at the Sault St. Marie.

cipal agent in Canada. Lord Selkirk immediately sent over to that gentleman, to know by what authority, and on what grounds, Mr. Pritchard, Mr. Pambrun, Nolin, and others from the Red River, were detained in custody. Some of these were immediately permitted to join his Lordship, Mr. M'Gillivray stating that he did not admit they were prisoners; and adding, that of the others, who had been sent for, one was on his way to Montreal as a prisoner, and the other as a witness. The persons who came over, asserted that they had all been kept for a time under rigorous confinement. The Informations taken of these persons and others, with respect to the occurrences at the colony, were of such a nature, as to induce his Lordship to issue warrants for the apprehension of the North-West Company's partners then at Fort William.—The first he issued was against Mr. M'Gillivray, who submitted immediately to the arrest. Two other partners, who came over with him, to offer themselves as bail, (which was refused) were also apprehended, and detained under similar warrants. Other warrants were likewise issued to arrest several more of the partners, who had remained behind at the Fort, and the constables were again sent with two boats, the crews of which were armed, for the purpose of supporting the peace-officers, if necessary, in the execution of their duty. The resistance, which was made to the serving of these last-mentioned warrants, is a sufficient proof how advisable it was to resort to the precaution which had been adopted. When the constables landed, four or five

of the partners were standing at, and within the gate of the Fort, together with a considerable number of Canadians, and Indians, in the North-West Company's employment. The warrants were, in the usual form, served upon two of these partners; but when the constable was proceeding to arrest the third, *he declared that there should be no further submission till Mr. M'Gillivray was liberated.* An attempt was immediately made to shut the gate, and prevent the constables from entering. They had succeeded in shutting one half of the gate, and had almost closed the other by force, when the principal constable called out for the assistance of those who were with him.—The party from the two boats, about twenty-five in number, immediately rushed up, and forced their way into the Fort. A signal, as previously agreed upon if required, being made by a bugle sounded by one of the party, an additional number of persons came quickly over from the opposite side of the river, and their appearance (for they did not then enter the Fort) probably prevented bloodshed, and further resistance.—The partner, who had refused obedience to the warrant, was seized and taken to the boats, and the rest submitted peaceably to the arrest. At the time this resistance to the warrant was attempted, there were above two hundred Canadians in the employment of the Company in, and about, the Fort—together with sixty or seventy Iroquois Indians, also in the Company's service. Another warrant had been issued to search for, and secure, the papers of the Company, and of the partners who had been apprehended.—Seals were

put upon these by a gentleman appointed by the Earl of Selkirk, and by one of the principal clerks of the North-West Company, and guards were placed for security.

The partners, who were arrested, were taken over to Lord Selkirk's tents, but the day was now too far advanced to proceed with all their examinations. They pledged their word of honour, that no further attempt should be made to obstruct the execution of the law, and that all measures of a hostile nature should be abandoned. Lord Selkirk, in consequence, consented to allow the prisoners to return to their apartments in the Fort. It appears, however, that sufficient precaution had not been adopted. It was discovered next morning that the seals were broken from several places, and that many letters and papers had been burnt in the kitchen in the course of the night;—that a canoe loaded with arms and ammunition had been sent off,—that several barrels of gunpowder had been secretly conveyed from the Fort in the night-time, which were afterwards traced to a place of concealment among some brushwood in the neighbourhood; and about fifty or sixty stand of fire arms, to all appearance fresh loaded and primed, were found hidden under some hay in a barn or loft, adjoining the Fort.

In consequence of these discoveries, and the suspicions that a surprise might be attempted by the Indians and Canadians in the Company's service, the greater part of the latter were sent to the opposite side of the river; and their canoes were secured.—Lord Selkirk and his party came over

and pitched their tents in front of the Fort, where the guards were strengthened.

The examinations of the persons apprehended having been completed, and their Declarations made out and signed by them, warrants of commitment were issued, and the parties sent off to the Attorney-General of Upper Canada, and afterwards taken to Montreal, in Lower Canada, where they were admitted to bail*.

It is now necessary, in pursuance of the object of this narrative, to resume the subject of the Red River Settlement, and, in doing so, the reader will be enabled to judge, from the documents which shall be produced to him (particularly the depositions taken at Fort William, and Montreal) how far the outrages directed against the colony, in the summer of 1816, ought in justice to be ascribed to the same persons who instigated, and effected its destruction in the year before.

It appears necessary to recal the reader's attention to that division of the Colonists who, refusing to be taken down to Canada in the summer of 1815, had

* The short account above given of the proceedings at Fort William, and of the apprehension of several of the partners of the North-West Company, is taken from a detailed statement which the Earl of Selkirk officially addressed, on the 21st of August (about a week after his arrival at Fort William) to Mr. Gore, Lieutenant-Governor of Upper Canada.—With respect to the subsequent transactions at that place, see Observations subjoined to the Statement, page 157, &c.

proceeded, under the friendly escort of the Indians, as far as Lake Winnipic, from whence they went to the other end of the lake, and established themselves, for a short time, at Jack River House, a station belonging to the Hudson's Bay Company. They were soon afterwards joined by Mr. Colin Robertson, a gentleman employed in the service of that Company, who told the settlers, that if they chose to go back to the settlement, he would take charge of them, and carry with him some men, who, he thought, would be of service in assisting them to re-establish themselves. They accordingly put themselves under his charge, and returned to the Red River, where they were, some time after, joined by a considerable body of emigrants, (chiefly from the Highlands of Scotland,) who had been written to, in the year before, by the settlers at Red River, and anxiously pressed, and encouraged by them, to emigrate to that place.—With this addition, the colonists amounted to upwards of two hundred. The greater part of them remained for some months, about ninety miles up the Red River, at its junction with the River Pembina, for the purpose of more easily procuring buffaloe-meat during the winter ;—but, early in the following spring, they were all placed at the original station of the colony, where lands were regularly assigned to them*.

* When the settlement was broken up, and the houses burned, in June 1815, the crops of grain were much destroyed,—but after the North-West Company's servants, and the Half-breeds, had dispersed, the crops that remained were taken care of by Mr. John M'Leod, and a few men who had continued at the Red River,

It has been already mentioned, that the two partners of the North-West Company, Mr. Duncan Cameron, and Mr. Alexander M'Donell, had returned, from the annual rendezvous at Fort William, in the autumn of 1815, to the stations which they had occupied in the preceding winter; namely, Cameron to that at the Forks of the Red River, and M'Donell to that upon the River Qui Appelle, also within the Hudson's Bay territories, although several hundred miles further in the interior.—Neither of these partners expected to find that any of the Red River colonists had so soon attempted to re-establish themselves at the settlement. Mr. Cameron, however, began again to molest and disturb the settlers; upon which Mr. Colin Robertson, who had taken upon himself the charge of them, seized his fort, or trading post, in the month of October, and recovered two of the field-pieces, and thirty stand of arms, which had been carried off from the settlement, the year before. These, it may be recollected, Cameron had formerly refused to restore, holding at defiance the warrant which had been sent for the purpose of recovering them*.—In this proceeding of Mr. Robertson, fortunately, no blood was shed. Cameron was released, upon promise to behave peaceably in future, and immediately reinstated in possession of his trading post.—Early in the ensuing spring, however, he was again apprehended, and taken towards the coast of Hudson's

—By the middle of October fifteen hundred bushels of wheat, a considerable quantity of other grain, and a large stock of potatoes were safely housed.

* See Note, page 20.

Bay by Mr. Robertson, under Governor Semple's directions, for the purpose of being sent to England to take his trial. But in consequence of the ships belonging to the Hudson's Bay Company having been detained by the ice all last winter in the Bay, and not having yet returned to England, no account whatever has been received from Mr. Robertson himself of the grounds of his apprehending Cameron, nor of the circumstances attending that transaction. It appears evident, however, that he had discovered Cameron to be again plotting the destruction of the Settlement, and conspiring with Mr. Alexander M'Donell for the purpose of attacking, and driving away the settlers.—In order to ascertain their plans of aggression, Mr. Robertson caused some of their letters to be intercepted; and when the reader peruses a few extracts from some of those which were thus obtained, he will probably think that there could be very little doubt of the intentions of the partners of the North-West Company to renew the disgraceful outrages against the colony.

On the 13th of March, 1816, Mr. Alexander M'Donell thus writes from the River Qui Appelle, to Mr. Duncan Cameron at the Forks of the Red River :—

“ I received your kind favour from Rivière la Sourie. I remark with pleasure the hostile proceedings of our neighbours, I say pleasure, because the more they do, the more justice we will have on our side. A storm is gathering in the North ready to burst on the rascals who deserve it; little do they know their situation. Last year was but a joke. The new nation under their leaders are coming for-

“ward to clear their native soil of intruders and assassins.
 “—Glorious news from Athabasca*.”

On the same day he also writes to another of the North-West Company (J. Dougald Cameron) at the Sault St. Mary:—

“I am in the Fort of Riviere Qu’Appelle, 13th March,
 “dashing about with my sword, and gold epaulets, con-
 “ducting, and transacting your business,” &c. &c. And
 a little further, “Sir William Shaw is collecting all the
 “Half-breeds from the surrounding departments, and has
 “ordered his friends in this quarter to prepare to take the
 “field. He has actually taken every Half-breed in the
 “country to the Forks of Fort des Prairies:—it is supposed
 “when they are collected altogether they will form more
 “than one hundred.—God only knows the result.”

Cuthbert Grant, (a Half-breed clerk of the North-West Company, and the principal leader of the Bois-Brulés) writes on the same day, and from the same place, to Alexander Frazer, also one of the principal Half-breeds employed by that Company, as follows:—

“I shall take the liberty of addressing you a few lines to
 “inform you of our countrymen at Fort des Prairies, and at
 “the English River. The Half-breeds at Fort des Prairies,

* The news alluded to by Mr. M'Donell, (and which, it is confidently trusted will prove to be unfounded,) was, that eighteen persons in the service of the Hudson's Bay Company, who had gone to trade in Athabasca, had suffered every degree of misery and distress.—“One of them alone reached Fort Chipewayan: all the others had perished; and the wretched men who survived the longest, had been reduced to the horrid necessity of satisfying their hunger by eating the flesh of their deceased companions, till at length only one was left to tell the dreadful tale.”—This was the “Glorious news from Athabasca!”—See Note, page 56, of *“A Narrative of Occurrences in the Indian Countries,”* &c.

" I am happy to inform you that they are all united and
 " staunch and ready to obey our commands, they have sent
 " one of them here to see how things stood, and to know
 " whether it was necessary that they should all come, which
 " of course I sent word that they should all be here about
 " the first of May. As for the Half-breeds about English
 " River, Mr. Shaw has gathered the whole of them, as they
 " come by water, I do not know what time they will be at
 " the Forks. All that I have to say now is that I beg of
 " you and Bostonois to keep the Half-breeds below united
 " if possible, as for those here, I am sure of them excepting
 " Antoine Hoole which I gave a set down this morning and
 " broke him."

Grant writes another letter, on the same day, to I.
 Dougald Cameron, at the Sault St. Mary. In this
 he mentions—

" The Half-breeds of Fort des Praries and English River
 " are all to be here in the spring, it is to be hoped we shall
 " come off with flying colours, and never to see any of them
 " again in the colonizing way in Red River. In fact the
 " Traders shall pack off with themselves also for having dis-
 " regarded our orders last spring according to our agree-
 " ments. We are all to remain at the Forks to pass the
 " summer, for fear they should play us the same tricks as
 " last summer of coming back, but they shall receive a warm
 " reception."

From the depositions also it appears evident that
 the greatest exertion was made by Mr. Alexander
 M'Donell to collect the Half-breeds, from every
 quarter, for the purpose of prosecuting measures of
 hostility against the colony*.—Many of these Half-

* See Appendix, [V.] page xxxiii. and [Y.]

breeds were collected from a very distant part of the country: some from Cumberland House, and also from the Upper Saskatchewan, at least seven or eight hundred miles from the Red River settlement. But, notwithstanding the great distance, various reports had reached the settlers, in the course of the winter, of the dangers which threatened them, and of the "storm gathering in the North," which was soon to burst upon their heads:

In a narrative which was written by Mr. Pritchard, one of the principal settlers, (then at the River Pembina, where he had remained during most of the winter, with about one hundred and sixty of the colonists under his charge,) he says,—

"In the course of the winter we were much alarmed by reports that the Half-breeds were assembling in all parts of the North for the purpose of driving us away, and that they were expected to arrive at the settlement early in the spring. The nearer the spring approached, the more prevalent these reports grew, and letters received from different posts confirmed the same. Our hunters, and those free Canadians who had supplied us with provisions, were much terrified with the dread of the punishment they might receive for the support they had given us.—My neighbours, the Half-breeds, began to shew a disposition to violence, and threatened to shoot our hunter Bollenaud's horse, and himself too, if he did not desist from running the buffaloe; at the same time they told me, that if I did not prevent him from so doing, they would go in a body on horseback, drive the cattle away, and cause my people to starve.

"In the month of March, Messrs. Fraser and Hesse arrived at my neighbour's house, which gave us great un-

“casiness, as Fraser was represented as the leader of the
 “Half-breeds, and that he was a daring, and violent man*.
 “On his arrival he sent a threatening message to one of my
 “hunters, and whenever an opportunity offered, he was very
 “assiduous in his endeavours to seduce from us, our servants
 “and settlers; likewise a report was very current, that a
 “party of Half-breeds, and Cree Indians, were expected to
 “arrive from Fort des Prairies, on the Saskatchewan River,
 “as soon as the melting of the snow would admit of their
 “travelling; and the language of every free Canadian we
 “saw was ‘*Méfiez vous bien pour l’amour de Dieu; méfiez*
 “‘*vous bien.*’ At the same time we were informed that the
 “Half-breed servants of the North-West Company, who
 “were then in the plains, were ordered home to their house.
 “This assemblage of those men gave us the most serious
 “apprehension for the safety of the settlers, and those ser-
 “vants who were employed to bring provisions from the
 “plains to the fort.”

Governor Semple, who had been visiting several of the stations within the Hudson’s Bay territories, arrived at the Red River in the spring of 1816†. In the month of April, he sent Mr. Pambrun to the Hudson’s Bay Company’s trading post on the River

* Fraser had received a good education in Canada;—and was once a clerk in the custom house at Quebec; he was afterwards appointed a clerk in the North-West Company. He makes a conspicuous figure in the subsequent outrages against the colony.

† Mr. Semple had been nominated by the Hudson’s Bay Company to be the chief governor over all their factories and territories,—and had gone out, in 1815, to take upon him the important charge to which he had been appointed. No person could be better fitted for the situation than Mr. Semple.—He was of a mild, steady, just, and honourable character.

Qui Appelle, who found, at the adjoining post belonging to the North-West Company, a great number of the Brulés collected. Mr. Pambrun embarked, in the beginning of May, with Mr. George Sutherland, (who had the charge of the Hudson's Bay Company's trading post on that river,) and twenty-two men, in five boats, loaded with a considerable quantity of furs, and about six hundred bags of pemican*, chiefly intended for the support of the colonists, till they could reap the crops that were on the ground. On the 12th of May, as they were proceeding down the river, they were attacked by an armed party of about fifty of the servants of the North-West Company, (Canadians and Half-breeds,) under the command of Cuthbert Grant, Thomas M'Kay, Roderick M'Kenzie, and Pangman Bostonois, clerks and interpreters of that Company, together with Brisbois, one of their guides.—Mr. Pambrun and the rest of the party were taken prisoners, and carried to Mr. Alexander M'Donell, who avowed that it was by his order that they, and the provisions, and other property, were seized. — M'Donell stated, that he had done so in retaliation for Mr. C. Robertson having taken the North-West Company's fort at the Forks of the Red River, and declared that it was his intention

* Pemican is a species of dried provisions, generally prepared by the natives, from the buffaloe and deer. The lean parts of the meat are first dried by the heat of the fire, then reduced into a coarse powder, mixed with melted fat, and crammed into bags made of the skins of the buffaloe.—Each bag contains about ninety pound weight, and it is reckoned a good carcase, which yields a whole bag.

to starve the colonists, and the servants of the Hudson's Bay Company, and make them surrender. The party was forcibly detained for five days, and then liberated, (under a promise not to bear arms against the North-West Company,) with the exception of Mr. Pambrun, who was kept a prisoner for six weeks. Mr. Pambrun had served as lieutenant in the corps of Canadian Voltigeurs during the late war with America, and, in one of the actions, had received a severe wound in his leg. When first detained as a prisoner by Mr. Alexander M'Donell, at his post on the River Qui Appelle, his wound broke out afresh, and threatened the loss of the limb, but Mr. M'Donell would not let him go back to the settlement for the benefit of medical assistance. He said, however, that if Mr. Pambrun would write to the surgeon of the settlement for medicine, he would send for it; but, after the letter was written, he refused to transmit it.—It appears to have been an important object with Mr. M'Donell to detain Mr. Pambrun for the purpose of preventing him from communicating information to Governor Semple, and from assisting, with his military experience, in the defence of the colony.—As the party afterwards approached the Red River, Pambrun was closely guarded, night and day, by several armed men.

About the end of May, Mr. Alexander M'Donell embarked in his boats with the furs, and bags of provisions, which he had seized. He was attended by a body of the Brulés on horseback, who followed him along the banks of the river. They soon afterwards met a band of the Sautoux Indians with their

chief, to whom M'Donell made a speech, the purport of which was, that the English* were spoiling the lands on Red River, which belonged to the Indians and to the Half-breeds; that if the Indians would not drive them away, the North-West Company would; and if the settlers resisted, that none should be spared, and the ground should be drenched with their blood. He did not, he said, stand in need of the aid of the Indians, but yet he would be glad if some of them would join him.—None of these, however, would accompany him.

When the party arrived near the Hudson's Bay Company's trading post at Brandon House, Cuthbert Grant was dispatched with twenty-five men, who took that post, and pillaged it not only of all the British goods, together with the furs, and provisions, belonging to the Hudson's Bay Company, but also of the private property of their servants, which was distributed among the Canadians, and Half-breeds, under Alexander M'Donell.—After this exploit, M'Donell divided his forces, amounting in all to about one hundred and twenty men, (including six Cree Indians who had been prevailed upon to accompany them from a great distance,) into separate *brigades*, under Cuthbert Grant, Lacerte, Alexander Fraser, and Antoine Hoole—and he nominated Seraphim Lamar, (the *Voyageur*, *Ensign* of the pre-

* The *English*, when mentioned in the Indian and Hudson's Bay territory, always means the servants of the latter Company, or the settlers, in contradistinction to the *Canadians* and *Half-breeds*.

ceding campaign,) his lieutenant, or second in command, under him. When this organised banditti arrived at Portage des Prairies, the plunder was landed from the canoes, and the six hundred bags of pemican, together with their own provisions, were formed into a sort of rampart or redoubt, flanked by two brass swivels, which had formerly belonged to Lord Selkirk's settlement.

On the 18th of June, Cuthbert Grant, Lacerte, Fraser, Hoole, and Thomas M'Kay, were sent off, with about seventy men, to attack the colony at Red River. Their commander-in-chief, Alexander M'Donell, in the mean while, prudently remained where he was, together with several of his officers, and about forty men, cautiously barricaded behind his portable redoubt of plundered provisions, and protected by artillery which had been stolen.

On the 20th of June, a messenger returned from Cuthbert Grant, who reported that his party had killed Governor Semple with five of his officers, and sixteen of his people; upon which M'Donell, Seraphim Lamar, and all the other officers, shouted with joy.—M'Donell then went to the rest of the men who had remained with him, and announced to them the news, in language (as sworn to by Mr. Pambrun,) which we will not attempt to translate, “*Sacré nom de Dieu !—Bonnes nouvelles.—Vingt-deux Anglois de tués ! **”

It is not improbable that those individuals, who

* See Appendix, [V.]

have shewn such enmity to the Earl of Selkirk, and his plans, and who have eagerly circulated the cry of "Colonization being at all times unfavourable to the fur trade," will pronounce the deposition of Mr. Pambrun, as well as those of Lavigne, Nolin, and others, to be mere fabrications :—that his Lordship has been employed in examining persons at Fort William upon his own affairs ;—and that no reliance ought to be placed on affidavits taken before such a magistrate*.—Unfortunately, however, for such persons, and fortunately for the cause of truth, among other documents, are produced depositions taken, about the same time, at Montreal, fifteen hundred miles from Fort William, in which the circumstances are confirmed by persons who escaped from the massacre.

In addition to the information contained in these documents, a statement of the whole transaction was drawn up, and signed, by Mr. Pritchard, who was present, and whose life was saved, with great difficulty, by the interference of one of the Canadians of the hostile party, with whom he had been previously acquainted.—Mr. Pritchard had been long employed in the service of the North-West Company, and had resided upwards of thirteen years at the Red River. On the first establishment of the colony, he preferred settling there with his family, and cultivating a farm, to continuing in the service of the Company, notwithstanding he had received from them strong assurance of promotion. When the colony was broken

* See Appendix, [V.] [W.] [X.] &c. &c.

up, in the year 1815, he had been driven from it with those of the settlers who subsequently retired to the further end of Lake Winnipic; and he had again returned with them to the Red River in the autumn of the same year.

It appears that Governor Semple was upon the point of returning from the Red River to York Fort in Hudson's Bay, on the concerns of the Hudson's Bay Company, when the reports, which had been for some time in circulation, of intended hostility against the settlement, began to increase from every quarter. Measures of precaution were adopted, and a watch regularly kept to guard against surprise.—On the 17th of June, two Cree Indians who had escaped from the party of Canadians and Brulés under Mr. Alexander M'Donell, came to Mr. Semple at Fort Douglas, adjoining the settlement*, and told him that he would certainly be attacked in two days by the Bois-Brulés, commanded by Cuthbert Grant, Hoole, Fraser, Bourrassa, Lacerte, and Thomas M'Kay, all in the service of the North-West Company, who were determined to take the fort; and that, if any resistance was made, neither man, woman, or child, would escape. Two chiefs of the Sautoux Indians, hearing also of the intended attack, came and held a council with Governor Semple, and told him, in a speech, “they were come to take their father's advice, “and wished to know from him how they were to act; “that they were certain he would be attacked, and

* After their return from Jack River House, the settlers named the Governor's house, at the settlement, Fort Douglas.

“ that, if their father wanted their assistance, they,
 “ and their young men, would be ready to defend
 “ him.”—Governor Semple answered, by advising
 them not to interfere;—“ But,” said he, “ as we
 “ are not sure of what may be the will of our Great
 “ Father, I now give you a supply of gunpowder,
 “ that, in case of my destruction, you may have the
 “ means of procuring subsistence, for yourselves and
 “ families, during the summer.” Some of the free
 Canadians also offered to join him, but he declined
 their services, saying, that he did not wish them to
 fight against their countrymen.

“ On the afternoon of the 19th of June,” (says Mr,
 Pritchard in his narrative,) “ a man in the watch-house
 “ called out, that the Half-breeds were coming. The
 “ governor, some other gentlemen, and myself, looked
 “ through spy-glasses, and I distinctly saw some armed
 “ people on horseback passing along the plains. A man
 “ then called out, they, (meaning the Half-breeds) are
 “ making for the settlers; on which the governor said,
 “ ‘ We must go out and meet these people; let twenty men
 “ ‘ follow me.’ We proceeded by the old road leading
 “ down the settlement. As we were going along, we met
 “ many of the settlers running to the fort, crying, ‘ the
 “ ‘ Half-breeds—the Half-breeds.’—When we were ad-
 “ vanced about three quarters of a mile along the settlement,
 “ we saw some people on horseback behind a point of woods.
 “ —On our nearer approach, the party seemed more nume-
 “ rous; on which, the governor made a halt, and sent for a
 “ field-piece, which, delaying to arrive, he ordered us to
 “ advance.—We had not proceeded far, before the Half-
 “ breeds, on horseback, with their faces painted in the most
 “ hideous manner, and in the dresses of Indian warriors, came
 “ forward, and surrounded us in the form of a half-moon,

" We then extended our line, and moved more into the
 " open plain; and as they advanced, we retreated a few
 " steps backwards, and then saw a Canadian, named Bou-
 " cher, ride up to us waving his hand, and calling out,
 " "What do you want?" the governor replied, "What do
 " "you want?" To which Boucher answered, "We want
 " our fort."—The governor said, "Go to your fort."—They
 " were, by this time, near each other, and consequently
 " spoke too low for me to hear.—Being at some little dis-
 " tance to the right of the governor, I saw him take hold
 " of Boucher's gun, and almost immediately a general dis-
 " charge of fire-arms took place; but whether it began on
 " our side, or that of the enemy, it was impossible to dis-
 " tinguish: my attention was then directed towards my
 " personal defence. In a few minutes, almost all our people
 " were either killed or wounded.—Captain Rogers, having
 " fallen, rose up again and came towards me, when not
 " seeing one of our party who was not either killed or dis-
 " abled, I called out to him, "For God's sake give yourself
 " up."—He ran towards the enemy for that purpose, myself
 " following him. He raised up his hands, and, in English,
 " and broken French, called out for mercy. A Half-breed,
 " (son of Colonel William M'Kay) shot him through the
 " head, and another cut open his belly with a knife, with
 " the most horrid imprecations. Fortunately for me, a
 " Canadian (named Lavigne) joining his entreaties to mine,
 " saved me (though with the greatest difficulty) from sharing
 " the fate of my friend at that moment. After this, I was
 " rescued from death, in the most providential manner, no
 " less than six different times, on my road to, and at, the
 " Frog Plain, (the head-quarters of those cruel murderers.)
 " I there saw that Alexander Murray, and his wife, two of
 " William Bannerman's children, and Alexander Suther-
 " land, settlers, and likewise Anthony M'Donell, a servant,
 " were prisoners, having been taken before the action took
 " place. With the exception of myself, no quarter was

“ given to any of us. The knife, axe, or ball, put a period
 “ to the existence of the wounded ; and on the bodies of the
 “ dead were practised all those horrible barbarities which
 “ characterise the inhuman heart of the savage. The
 “ amiable and mild Mr. Semple, lying on his side (his thigh
 “ having been broken), and supporting his head upon his
 “ hand, addressed the chief commander of our enemies, by
 “ inquiring if he was Mr. Grant; and being answered in
 “ the affirmative, ‘ I am not mortally wounded,’ said Mr.
 “ Semple ; ‘ and, if you could get me conveyed to the fort,
 “ I think I should live.’—Grant promised he would do so ;
 “ and immediately left him in the care of a Canadian, who
 “ afterwards told, that an Indian of their party came up,
 “ and shot Mr. Semple in the breast.—I entreated Grant to
 “ procure me the watch, or even the seals, of Mr. Semple,
 “ for the purpose of transmitting them to his friends, but I
 “ did not succeed. Our force amounted to twenty-eight
 “ persons, of whom twenty-one were killed, and one
 “ wounded, the Governor, Captain Rogers, Mr. James
 “ White, surgeon, Mr. Alexander M’Lean, settler, Mr.
 “ Wilkinson, private secretary to the governor, and Lieu-
 “ tenant Holt, of the Swedish navy, and fifteen servants
 “ were killed*. Mr. J. P. Bourke, storekeeper, was
 “ wounded, but saved himself by flight.—The enemy, I am
 “ told, were sixty-two persons, the greater part of whom
 “ were the contracted servants and clerks of the North-
 “ West Company.—They had one man killed, and one

* Mr. M’Lean, who was killed on the 19th of June, was the
 principal settler in the colony, and the same person who had
 refused the large bribe offered him as an inducement to desert
 from the settlement the year before.—See Appendix, [P.] and
 [S.].—He had been severely wounded in the attack upon the
 colony in the preceding summer.—The servants of the settlement,
 who fell on the 19th of June, were seven labourers from Ireland,
 three from the Orkneys, and five from the north of Scotland.

“wounded.—The chiefs, who headed the party of our enemy, were Messrs. Grant, and Fraser, Antoine Hoole, and Bourrassa; the two former clerks, and the two latter interpreters, in the service of the North-West Company. —On the field I saw six of the North-West Company’s Canadian servants; namely, Boucher, Morin, Des Champs, Joseph Hesse, Mageau, and Lavigne.”

By the deposition of Michael Heden, who was close to Governor Semple during this horrible transaction, (and to whose affidavit particular reference is entreated*), it appears that Boucher, the Canadian, advanced in front of his party, and, in an insolent tone, desired to know what he (Mr. Semple) was about. Mr. Semple desired to know what he, and his party, wanted. Boucher said, he wanted his fort. The governor desired him to go to his fort—upon which Boucher said to the governor, “Why did you destroy our fort, you damned rascal?” Mr. Semple then laid hold of the bridle of Boucher’s horse, saying, “Scoundrel, do you tell me so?” Upon this, Boucher jumped from his horse,—and a shot was instantly fired by one of Grant’s party of horsemen, which killed Mr. Holt, who was standing near Governor Semple.—Boucher then ran to his party, and another shot was fired, by which Mr. Semple was wounded. The Governor immediately cried out to his men, “Do what you can to take care of yourselves.” But, instead of this, his party appear to have crowded about him, to ascertain what injury he had met with;—and, while they were thus collected, the Brulés, who had formed a circle round

* See Appendix, [C. C.]

them, fired a general volley among them, by which the greater part were killed or wounded. Those who were still standing, took off their hats, and called for mercy, but in vain.—The horsemen galloped forward, and butchered them.

Heden, in his affidavit, further states, that he only observed three Indians among this party, and he saw none of these fire a shot, though he kept his eyes upon them a principal part of the time.—In the confusion of such a business, one might be disposed to doubt, in some degree, the minute accuracy of the deponent's observation ; but it is worthy of remark, that his deposition corresponds with that of Mr. Pambrun, who mentions that there had been six Indians with Mr. Alexander M'Donell, at his camp, some days before ; and, it may be recollected, that two of these had deserted from him, and brought information to Mr. Semple, on the 17th of June, of the intended attack.—The matter is not of much importance, except to shew, that the North-West Company had succeeded in getting a few Indians to join them, upon whom the blame might be subsequently thrown, if ever there should be a question of blame on the subject. At the time of the massacre, there was an encampment of Indians (Sautoux, and Crees) opposite to the settlement, but none of them took any share in the transaction. On the contrary, they lamented deeply what had happened ; shewing much kindness towards the settlers,—and assisting them in bringing away, for interment at the fort, some of the dead bodies of those who had fallen.

Immediately after the massacre, Mr. Pritchard was taken down to Frog Plain, a short way below the settlement, and where Cuthbert Grant had fixed his head-quarters.—

“ When I was at the Frog Plain, in their custody,” continues Mr. Pritchard in his narrative, “ Mr. Grant told me, that an attack would, that night, be made upon the fort ; and if our people fired a single shot, a general massacre would ensue. ‘ You see,’ observed he, ‘ the little quarter we have shewn you ; and now, if any further resistance is made, neither man, woman, or child, shall be spared.’—Fraser added in French, ‘ Mr. Robertson said that we were *blacks*, and he shall see that our hearts will not belie the colour of our bodies.’—Being fully convinced of the inevitable destruction of these poor souls, I asked Grant, if there were any means by which the lives of the poor women, and children could be saved ; I intreated him, in the name of his deceased father, whose countrywomen they were, to take pity, and spare them.—He then said, if we would give up all public property, we should be allowed to depart in peace, and that he would give us a safe escort until we had passed the North-West Company’s track in Lake Winipic, which he said was necessary to protect us from two other parties of Half-breeds, that were momentarily expected to come up the river, one of which he said was commanded by Mr. William Shaw, and the other by Simon, son of the Honourable William M’Gillivray.—This proposition I wished to carry to Mr. M’Donell, the chief of the settlement ; but here a difficulty arose, as Grant’s men would not consent to my return.—I addressed myself to them, and concluded by saying, ‘ Mr. Grant, you know me, and I am sure will answer for my return, body for body,’—to which he assented.—Several of them told me in a friendly way, to take great care how I acted ; that I well knew that it was

“impossible for me to make my escape, and, that if I forfeited my word, I should be tortured to death in the most cruel manner.—These people were greatly disappointed in not meeting with Mr. Robertson, who, (as they told me,) they would have endeavoured to take alive; and after flaying him, they would have cut his body into small bits, and boiled it afterwards for the dogs.

“On my arrival at the fort, what a scene of distress presented itself! The widows, children, and relations of the slain, in the horrors of despair, were lamenting the dead, and trembling for the safety of the survivors.

“I must here observe, that when I was allowed to leave the Frog Plain, it was late at night, and that Mr. Grant accompanied me, as my protector, almost to the spot on which I had seen my dearest friends fall by the hands of the merciless savages.—The shade of night hid from my view what the dawn of the following day too clearly exposed,—their mangled and disfigured bodies.—From what I saw, and what I have been told, I do not suppose that more than one-fourth of our party were mortally wounded when they fell, but were most inhumanly butchered afterwards.

“After having made three trips to, and from the Frog Plain, Mr. Sheriff M'Donell (who had then the charge of the settlement,) and the Half-breed chiefs came to an agreement in substance as before related*.—An inventory

“When Mr. Pritchard arrived at the settlement, he found the settlers assembled at the Governor's house, or fort.—Upon his stating the proposals, which had been sent by him, for their surrender, they declared they would not yield to the conditions required. Mr. Sheriff M'Donell therefore, although he was well aware that resistance would be useless, told Mr. Pritchard, that he could not consent to give up their post, while the men were inclined to defend it.—The settlers, however, having had time to reflect on the dreadful situation to which the women and

“ of the property being taken, the whole was delivered up
 “ to Mr. Cuthbert Grant for the use of the North-West
 “ Company, each sheet of the inventory being signed as
 “ follows :—

“ ‘ Received on account of the North-West Company,
 “ ‘ by me,

“ ‘ CUTHBERT GRANT,

“ ‘ Clerk for the N. West Co.

“ ‘ Acting for the N. West-Company.’

“ In two days we were ready to embark, at which time
 “ Mr. Grant came to us, and said he could not allow us to
 “ proceed, as Mr. Alexander M'Donell (the North-West
 “ Company's partner) had sent an order for our detention
 “ until his arrival. This was dreadful news to us. We
 “ were without arms, standing upon the beach, surrounded
 “ by the murderers, and in momentary fear of our wives and
 “ daughters being violated, which it was commonly reported
 “ would take place.—The day before, at the solicitation of
 “ the settlers, I had been twice claiming the protection of
 “ Messrs. Grant and Fraser on that head, who told me their
 “ intentions were only in regard to Heden's wife; at the
 “ same time they promised me either to stop with us them-
 “ selves, or send such men on whom they could depend.
 “ I reproached, intreated, and indeed did all in my power,
 “ to induce Grant to let us depart; at last, on Mr. Sheriff
 “ M'Donell's observing that he plainly perceived that Mr.
 “ Alexander M'Donell (the North-West partner) wished to

children would inevitably be reduced, should their resistance
 prove unsuccessful, came next morning, and gave their consent
 to the terms which Cuthbert Grant had proposed.—Both Bourke
 and Heden, however, have sworn, in their affidavits, that the
 private property of the settlers was almost all taken away from
 them by force after the capitulation.

“ defraud Grant of the honour of the day, and take all the
 “ praise to himself, Grant’s pride was hurt, and he, in his
 “ intemperate manner, said, he would keep his word in spite
 “ of M’Donell, and desired us to depart immediately with-
 “ out waiting for an escort, which he said he would send
 “ after us in a light canoe.—We scrambled into the boats
 “ and put off.—Previous to the embarkation, I received a
 “ protection from Mr. Grant as follows :—

“ This is to certify that Mr. John Pritchard has behaved
 “ himself honourably towards the North-West Company,

(Signed) “ CUTHBERT GRANT,

“ *Clerk to the North-West Company.*”

The settlers, labourers, and others belonging to the colony, with their families, (in all nearly two hundred) having thus embarked in their boats, for the purpose of pursuing their voyage to the coast of Hudson’s Bay, proceeded down the river, and, on the second day, were met by a strong party of canoes headed by Mr. Norman M’Leod, a leading partner, and a principal agent, of the North-West Company, a “ Major des “ *Tribus Sauvages, et des pays conquis**,” and a Magistrate for the Indian territory, under the Canada Jurisdiction Act†.

From a person vested with such authority, the persecuted colonists might, not unreasonably, have looked, in their distress, for some little aid or commiseration.—Driven from their lands and habitations

* See note, bottom of page 13.

† 43rd Geo. III. c. 138.

with unheard of barbarity ;—the bodies of their massacred fathers, husbands, brothers, and sons, lying, many of them, unburied on the spot where they fell*,—it would have been natural for these harrassed settlers to have hailed, with some faint glimmering of hope, the approach of one, who, to other means of power and influence, added the authority of a Magistrate.—Mr. Norman M'Leod had also with him about ten partners of the powerful commercial body to which he belonged, whose authority would have strengthened his own, and there were, in the canoes, nearly an hundred armed men ready to act in support of his orders. From him therefore the colonists might naturally have expected “ some of those aids “ and comforts which are derived from civil society ;” —the anticipated deprivation of which had raised, in this country, such apprehension among the opposers of colonization, and had called forth, as we have already seen, that portion of the “ North-West Company's compassion,” which appears to have been consigned to this side of the Atlantic.

As soon as the settlers approached, in their boats, to Mr. Norman M'Leod's party, the latter set up the Indian war-whoop,—and the first interrogatory

* Bourke and Heden both state in their affidavits, that the Indians came and assisted in bringing some of the bodies to the fort at the settlement, and also aided in burying them. The latter (Heden) mentions that they were prevented from bringing them all in from fear of the Brulés, and that the bodies “ remained on the ground a prey for the wild beasts”—that ground, which Alexander M'Donell had vowed, if resistance was made by the settlers, should be “ drenched with their blood.”

put by the magistrate was, “whether that rascal “and scoundrel Robertson was in the boats?”—In the same tone it was asked, if Governor Semple was with them; and, when his fate was told to them, Mr. Pritchard was ordered to come ashore, and the whole party was disembarked for the purpose of having examinations taken by Mr. M’Leod according to the due and regular forms of law.—Instead, however, of the usual symbols of Justice,—the sword and the balance,—this Magistrate had provided himself with emblems of a more novel, but not less appropriate, description,—namely, two brass field-pieces, which had been stolen from the Earl of Selkirk the year before!—Such are the purposes to which the Canada Jurisdiction Act is perverted; and such the persons who, under the fatal provisions of that legislative measure, have been, but too often, appointed justices of the peace for the Indian territories in British North America.

The settlers and their families having been disembarked, the magistrate commenced his judicial examinations by a general search into all the trunks, boxes, chests, &c. of the miserable victims whom he had got within his grasp.—Books, papers, accounts, letters, &c. (including those of Governor Semple, and also some other of his effects which had been hitherto saved,) were all taken from them.—“During my examination,” says Mr. Pritchard,—“Mr. M’Leod sent for all my papers, which were perused by himself and partners. They kept of them what they thought proper, and returned the rest;” Mr. M’Leod saying, that “those who played at

“ ‘ bowls, must expect to meet with rubbers.’—He
 “ then gave me a subpœna from the court of Lower
 “ Canada, requiring my attendance for the 1st of
 “ September, in a cause, The King against Spencer.
 “ I was then ordered back to a tent, and soon after
 “ Mr. Sheriff M'Donell was brought in as a prisoner,
 “ after which he was bailed to appear the 1st of Sep-
 “ tember 1817, at Montreal, if required.—The set-
 “ tlers were detained a few days at this place, and as
 “ soon as they were gone, Mr. Bourke, myself,
 “ Patrick Corcoran, Michael Heden, and D.M'Kay,
 “ were placed together in a tent, with a guard of
 “ armed men put over us.—We remained here five
 “ or six days, treated with the greatest indignity,”
 &c. &c. &c.

Mr. Pritchard, it seems, had further been directed
 by Mr. Norman M'Leod, to write, and deliver to
 him, a narrative of what occurred on the 19th of
 June, the day of the massacre.—‘ You have drawn
 ‘ up a pretty paper !’ said the Justice, ‘ You had
 ‘ better take care yourself, or you will get into a
 ‘ scrape.’—“ I replied,” continues Mr. Pritchard,
 “ what I have written, Sir, is truth ; I know not
 “ what information you want. You had better put
 “ questions to me, and which I promise I will truly
 “ answer.” ‘ Yes,—yes,’—was his reply, and ordered
 “ me to send to him D. M'Kay, who returned with
 “ a subpœna against Corcoran for felony.—Corcoran
 “ and Heden were likewise served with subpœnas
 “ against Mr. Bourke for felony.—After these judi-
 “ cial proceedings, a party of Half-breeds came into
 “ our prison, and put irons upon the hands of Mr.

“ Bourke, saying, that they did that of their own
 “ accord as a punishment for his treatment of Mr.
 “ Duncan Cameron.—I must here observe, that Mr.
 “ M’Leod the magistrate and several of his partners
 “ were then in the fort, and of course must have
 “ sanctioned this act of the Half-breeds, which was
 “ much aggravated by Mr. Bourke’s being so dis-
 “ abled from dressing his wound, which was still in
 “ a bad state *.”

Michael Heden was also examined by Mr. Norman M’Leod about the late transactions at Red River :—but the Justice, being no better pleased with the answers given by him, than with those of Mr. Pritchard, told him “ they were all lies ;—but that
 “ to make him tell the truth, he would have him put
 “ in irons at Fort William ;” and his worship was probably as good as his word : at least it appears, by Heden’s affidavit, that shortly after he got to Fort William, he was thrown into a most horrid prison, and placed in strict confinement.—The grand council at that place, it seems, deemed it advisable, that, instead of his being any longer forcibly detained as a witness for the Crown, he should himself be made the subject of a criminal prosecution.—Accordingly, Mr. M’Gillivray, who was then on the spot, issued a warrant to commit him.—By Heden’s deposition it would appear, that this additional severity was resorted to, in consequence of a step which he had taken, with

* For two days after the massacre, Mr. Bourke could get no assistance for his wound ; till two Indians came and kindly dressed it for him.—See Appendix, [B. B.] page lii.

the view of saving the Earl of Selkirk from assassination*.

A warrant was also issued by Mr. M'Leod against Mr. Bourke,—who, being first robbed of his clothes, watch, and case of mathematical instruments, and put in irons, was afterwards carried down to Fort William on the top of the luggage in a canoe, without any attention being paid to his wound during that long journey.—In short, (for it is unnecessary further to report these *law-cases*,) the worthy magistrate for the Indian territory closed his sessions by securing some of the settlers by *warrants*, and some by *subpoenas*:—that is to say, in order to insure the subsequent appearance of the witnesses, to give their testimony in court before the judge, they were, in the mean while, made close prisoners by the justice!—The parties who were to be prosecuted, and those who were to be evidence for the prosecution, were alike deprived of their liberty; and, in order that they might become better acquainted with each other, they were all imprisoned together in the same place—with a guard set over them, composed of those very ruffians by whom their friends had been butchered, and from whom they themselves had, almost miraculously, escaped at the time of the massacre.

In the whole of these proceedings, there appears such a horrible mixture of mock judicial solemnity, and real cruelty;—such a medley of folly, and

* See Bourke's and Heden's Depositions.—Appendix, [B. B.] page liv. and [C. C.] page lix.

atrocities;—of the semblance of law, and the substance of injustice,—as might, indeed, stagger the belief of any one who has not had an opportunity of perusing the documents which have been collected.

The rest of the settlers, and their families, were permitted to proceed on their dreary voyage, after having been thus unnecessarily detained for several days, consuming the scanty stock of provisions they had with them, which, as Heden states in his deposition, was not sufficient to last them one quarter of their journey to the coast.—No proposals were now held out, as in the year before, of free conveyance to Canada.—No gratuitous offer of lands in the Upper, or Lower Province.—No high wages—no flattering encouragement—none of those “aids and comforts” which were last year to be derived from the boasted “compassion of the North-West Company.”—Insulted, plundered, and robbed;—deprived of the protection of their nearest and dearest relations, some by the fury of a merciless banditti; and others by the callous, and cold-blooded, persecution of a magistrate, they set out on their long, and dismal journey to Hudson’s Bay*.—Of these

* To notice individual cases of severity amid such a mass of injustice, would be an useless task—but it may be mentioned, that, in consequence of these proceedings of Mr. McLeod, Mr. Pritchard, (without any charge against him whatever, but merely by a citation as a witness,) was forcibly separated from his wife, though she was then far advanced in a state of pregnancy, and who (as he states in his narrative) never expected to see him

people, no certain intelligence has since been received in this country ; and those who have the best means of forming an opinion upon the subject, look for the accounts of what they have since suffered, with the most serious apprehension.

What has been already stated might well raise a strong suspicion, that, although Mr. Norman M'Leod did not reach the Red River soon enough to share in the actual destruction of the settlement, he was on full, and rapid, march for that purpose. There could have been no other object in the numerous armed band of partners, clerks, half-breeds, &c. he brought with him.—It was evidently a preconcerted plan, that Mr. Alexander M'Donell was to pour down, upon the colony, his grand levy of Bois-Brulés from the North, or upper country, while Mr. Norman M'Leod was to advance against the settlement from another quarter? The latter, indeed, does not appear to have supposed that M'Donell had collected so large a force as he had actually assembled. At least, when the ruffians, after they had driven off the settlers, came down the Red River to pay their respects to the “major des tribus sauvages, et des pays conquis,” he graciously told them that

again. Heden, his fellow-prisoner, against whom also there was no accusation whatever, and who was merely cited, in a similar manner, as a witness, (*See his subpoena at the end of Appendix, [C. C.]*) was likewise separated from his wife, who, as admitted by the Brulé leaders, Grant and Fraser, had been particularly selected by the banditti as the intended object of their brutal violation.

he had not expected to find so many, and that he regretted he had not brought presents of clothing sufficient to reward all of them for their services; assuring them, at the same time, that those who did not then receive their remuneration, should have it, by the autumn canoes of the Company*. Some of those who were engaged in the massacre, and also in the robberies at Qui Appelle, and Brandon House, received their clothing afterwards at Fort William, as appears by Mr. Pambrun's deposition. Pambrun also states, that a Council was held at Red River, between M'Leod and those Brulés, and that he received them with open arms, and made them a regular speech; at which, however, Pambrun was not permitted to be present. But Lavigne, (the Canadian to whom Mr. Pritchard owed his life at the time of the massacre) was present, and has reported, in his deposition, Mr. Norman M'Leod's harangue to the banditti†.

The circumstance of Mr. M'Leod having thus cordially received, and rewarded, those persons who were active in the destruction of the colony, instead of taking measures to have the whole matter thoroughly, and legally investigated, may, of itself,

* It appears by Blondeau's evidence, that Mr. M'Leod distributed, as rewards to the ruffians of the 19th of June, not only what he had brought with him to the Red River, but also articles of clothing, &c. which had been seized, after the massacre, from Lord Selkirk's stores at the settlement.—This was certainly a very *cheap* mode of paying them for their services. See Appendix, [Y.]

† See Appendix, [W.] page xxxvii.

be considered as strong presumptive proof of what he was himself preparing to execute. There is, however, other evidence of his hostile intentions against the settlement.—It appears by Mr. Bourke's deposition, that, when he was on his way to Fort William, as a prisoner, he overheard a conversation which took place between Mr. Alexander M'Donell, and another partner, who had come up with the expedition under Mr. M'Leod, in which they mutually talked of the different measures by which it had been proposed to effect the destruction of the colony. From what was then said, it may be inferred, that M'Donell's plan was to starve the settlers,—and M'Leod's to make a forcible attack upon them*.

In addition to this, Charles Bruce, whom Mr. Miles Macdonell took with him, last summer, to the Red River, as an interpreter of the Sautoux language, has deposed, that they met, on the 24th of June, several of the Sautoux Indians of the country about Lac la Pluie, who informed them, that Mr. Norman M'Leod, in his way up, had assembled the Indians of that neighbourhood, and proposed to them to go up with him to the Red River, to release Mr. Duncan Cameron; and that if he (Cameron) was not given up, they would take him by force, and would give

* See Appendix, [B. B.] page liv. Alexander M'Donell's intention of starving the colony into submission, is not only confirmed by Bourke's deposition, but also by the fact of his having robbed the settlers of the six hundred bags of provisions, which was intended for their use, and that of the servants of the Hudson's Bay Company.—See also Appendix, [V.] page xxxiii.

the Indians, for their trouble, every thing which might be found in the fort. These Indians further said, that about twenty of their nation had accordingly joined M^cLeod's party, some in their own canoes, and some in those of the North-West Company. This statement was confirmed by others of the Sau-toux nation. Another band from the same quarter, said, that five Indians had likewise been prevailed upon by another partner of the North-West Company, two days before, to accompany him to the Red River, where Mr. Norman M^cLeod, and many of the other partners, were then assembling*.

But, if any doubts should still remain of the views of Mr. Norman M^cLeod, they will probably be removed by the perusal of the following letter, addressed by him, and several other partners who were then stationed, in the service of the North-West Company, at their trading post at the Fond du Lac Superior.

FORT WILLIAM, 3rd June, 1816.

" GENTLEMEN,

" Our intelligence from the Red River is
 " very limited ; but what we have heard gives us much un-
 " easiness ; and, after various consultations, we have come
 " to the resolution of forwarding an express to you, to
 " request you will, as soon as possible, assemble as many of
 " the Indians as you can, by any means, induce to go to the
 " Red River to meet us there. We would suggest and
 " require, that Messrs. Morrison and Roussin should head
 " and accompany the Indians. Roe we expect to see at Lac
 " la Pluie, and we shall not fail to send him also to assist

* See Appendix, [A. A.]

“ Mr. Morrison and Mr. Roussin. We also mean to take
 “ a few of the Lac la Pluie Indians along with us. We
 “ shall, and will, be guarded and prudent ; we shall commit
 “ no extravagances, but we must not suffer ourselves to be
 “ imposed upon ; nor can we submit quietly to the wrongs
 “ heaped upon us by a lawless, unauthorised, and inveterate
 “ opponent in trade.

“ You will not hesitate to explain to the Indians the pur-
 “ pose for which we want them to meet us ; possibly and
 “ most probably, their appearance may suffice ; but in any
 “ case they shall be well and fully recompensed for their
 “ trouble. You who know the Indian character so well,
 “ make use of that experience to collect as many as you can
 “ in a short time, from fifteen to twenty, upwards, to one
 “ hundred.

“ You will explain to the Chief, that we have king’s
 “ officers and a few soldiers along with us, so that there is
 “ not the least doubt of the justice of our cause. We start
 “ from hence to-morrow in five light canoes ; upwards of
 “ fifty men in all ; and I think we shall be in Red River
 “ about the 17th of June, where we shall have to meet, if
 “ not all that we expect, at least Mr. Morrison and Mr.
 “ Roussin, with a few Indians, as an *avant garde*.

“ Mr. Grant will take the whole weight and trouble of
 “ the affairs of the department on himself, no doubt, and
 “ give Messrs. Morrison and Roussin all the assistance the
 “ department can afford.

“ Since writing the foregoing, Mr. Farries has determined
 “ to go to assist you, and proceed as quickly as possible to
 “ Red River. I am convinced you will be most happy to
 “ have his co-operation and aid, which you will find most
 “ useful.—Some articles that you may stand most in need
 “ of, are also sent.

“ The letters written yesterday, if Mr. Farries overtakes
 “ the canoe, he will take. Positively no courier, or letters
 “ from the Hudson’s Bay Company must be allowed to

" pass ; they must all be sent to this place. A great deal
 " depends on your exertions, gentlemen ; and we have great
 " confidence in the known influence of Messrs. Morrison
 " and Roussin over the natives.

" With much esteem,

" We remain, gentlemen,

" Your most obedient servants,

(Signed)

" A. N. M'LEOD,

" Agent N. W. Co.

" R. HENRY,

" JOHN M'LAUGHLIN."

*Messrs. Grant, Morrison,
 and Roussin.*

The reader, in perusing this letter*, will, doubtless, have remarked how strongly it corroborates the declaration of the Chipewa Chief, (taken before the Council of the Indian Department in Canada) in which he states the attempts made by the North-West Company, and the bribes offered to him, to stir up the Indians of the Fond du Lac country, to commit hostilities against the Red River Settlement†.—It also completely confirms Bruce's deposition, in which it is stated that Mr. Norman M'Leod had prevailed upon a party of the Lac la Pluie Indians to join him and the other partners of the Company, in their expedition to the Red River‡.—What the object of that expedition was, may be easily supposed, if, in addition to the other proofs, reference be had

* This letter has been given in by two of the persons to whom it was addressed, and is referred to in declarations drawn up, and respectively signed, by them.

† See Appendix, [U.]

‡ See Appendix, [A. A.]

to the deposition of Sayer, a clerk and interpreter of the North-West Company, who was employed at Lac la Pluie by Mr. M'Leod to confer privately with one of the Indian chiefs, in order to ascertain whether he and his warriors would accompany them. Having obtained the chief's assent to the proposal, all the Indians about the place were immediately invited to a Council, at which Mr. M'Leod, and some of his partners, were present. Liquor and tobacco having been provided, and placed before the Indians, Sayer, as interpreter, was directed by Mr. M'Leod, to make a Speech to them. The result was, that the chief, with a party of Indians, joined M'Leod, and proceeded with him towards the Red River.—Sayer has further deposed “ that the expressions which he was “ instructed to use in the speech, were such as the “ Indians would certainly understand as implying an “ instruction to go to war against the opponents of “ the North-West Company*.”

There is another circumstance, the proof of which is most strongly confirmed by the contents of Mr. M'Leod's (and his partners) letter above quoted ;—namely, the anxiety which has been all along shewn by the North-West Company, that some of the native Indians should be present at the acts of aggression against the colony, were it only as spectators. This seems to have been a constant object of the Company. —“ Possibly,” say these partners, — “ and most “ probably, their appearance, may suffice ;—but in “ any case they shall be well and fully recompensed,”

&c. &c. When unable to instigate the native Indians to actual aggression, the next aim of the Company has been to get them to be witnesses of any hostile proceedings ;—thus to serve a double purpose—to raise alarm in the minds of the European settlers, and to furnish an opportunity of ascribing whatever mischief might occur, to the alleged hostility of the Indians.

As an additional proof of this, it is worth while to notice the manner in which the intelligence of the death of Governor Semple and his party was first transmitted to this country.

The earliest accounts which arrived of that event, were conveyed in two letters from the agents of the North-West Company in Canada, to their corresponding agents in London. The one was dated from Montreal, the 17th of August,—the other was from Mr. William M'Gillivray, dated Fort William, the 17th of July last.—To those who considered, with any degree of attention, the purport of these accounts, (and to which a very free, and a very premature, circulation, was given at the time) it appeared that, although the melancholy event could scarcely be disbelieved, the story itself bore, in many respects, a very dubious appearance.—For a time it produced, however, the effect expected from it, and furnished the means of spreading calumny, and misrepresentation against the Earl of Selkirk, and his plans of colonization.

The letter from the agents at Montreal, stated, among other things, that “ Lord Selkirk's colony on the Red River has again been broken up, owing

“ to the mad and infatuated violence of Governor
 “ Semple and his people, who fired upon a party of
 “ Indians conveying provisions to meet the North-
 “ West Company’s canoes from the interior.—The
 “ Indians returned the fire, and rushing in upon
 “ Semple’s party, put the whole, including himself,
 “ (about twenty in all) to death, excepting one man,
 “ who escaped wounded, in an ammunition cart.—
 “ The Indians immediately after, ordered away all
 “ the settlers, with an injunction never to return, at
 “ the peril of their lives. They offered them no
 “ personal violence, and permitted them to carry
 “ away their private effects, but retained the Gover-
 “ nor’s and Hudson’s Bay Company’s property, which
 “ the Indians divided,” &c. &c. &c.—And the letter
 concluded with the old story of the *compassion of*
the North-West Company :—“ We lament the loss
 “ of life by such mad projects, which must open the
 “ eyes of the Hudson’s Bay Company, and compel
 “ the interference of Government.”

In this short extract, the reader has probably
 remarked, that *the Indians* are distinctly repeated no
 less than four times, as being the persons exclusively
 engaged in this act of hostility, or rather (as the
 writers would have it) of self-defence. It was evi-
 dently a main object of this story, that what had
 occurred should be ascribed, in this country, to Indian
 hostility ;—but the tale was very ill told. No one
 who knew any thing of the state of that country, or
 of the friendly conduct which the native tribes of

settlers, gave credit to the report of warfare having been carried on between them. At all events, it appeared a very unaccountable part of the story, that the savages, after being thus wantonly fired upon, should, on gaining the victory, immediately throw aside the "indiscriminating hatchet,"—and, in place of scalping man, woman, and child,—sit coolly down, like prize agents,—draw up inventories of the captured property,—lay aside one portion, as being public stores, for the use of the captors, and generously give up another, as private effects, to the vanquished! Those also who had known Governor Semple, were confident that he was not a man to have acted, towards the unoffending Indians, with that "mad and infuriated violence," thus ascribed to him ;—a charge, which, in the absence of all evidence, and Mr Semple no longer alive to answer it, ought not to have been so wantonly, unjustly, and ungenerously, levelled against him. An unfortunate infatuation may, indeed, with some apparent justice, be ascribed to him, during these last acts of his life ;—but, it was the infatuation of a brave and generous mind.—Too confident in his belief that the justice of his cause, and the bravery of his associates, would be more than sufficient to overawe the hired banditti assembled to oppose him, he had declined the proffered aid of those five Canadians, who had become attached to the settlement, as well as of the native Indians, who had voluntarily offered to come forward and assist him*.

* See Page 82.

The other letter, which also brought intelligence of these occurrences to this country, was penned at Fort William by Mr. William M'Gillivray.—*His* story was better put together than that composed by the Company's agents, then at Montreal,—and no wonder,—for he had with him, at the time, one of his partners, who had just returned from the Red River, and who, knowing the facts of the case, could easily assist him in mixing up such a composition of what *had* occurred, with what *had not* occurred, as might answer the purpose, if not of misleading his Majesty's Government (to whom the letter was submitted on the part of the North-West Company) at least of bringing odium upon Lord Selkirk, and his plans. The detail of Mr. M'Gillivray's account, it would be superfluous to enter upon. The substance is comprised in that part of the deposition of Mr. Bourke, in which he swears to a conversation he overheard between two of the partners of the North-West Company, wherein one of them, Alexander M'Donell, stated, that, although the sending down the half-breeds was certainly carrying things to an extremity—"it might
 " be said, that Governor Semple, and those with him,
 " had gone out to attack them, (the Half-breeds)
 " and met their fate*." This shrewd suggestion of that able partisan, M'Donell, contains the groundwork of every thing detailed in Mr. M'Gillivray's letter, which finished with a climax not unworthy of one of those "Heads of the North-West Company,

“ whose honourable character, and liberal principles” we have seen so highly rated in the year 1815, by the Provincial Government of Canada—namely, *that he (M’Gillivray) thought it very fortunate that none of the people belonging to the North-West Company were within a hundred miles of the spot, at the time, otherwise the blame would have been thrown upon them as usual !*

This restless anxiety to make the North-West Company appear innocent, before there was any accusation of guilt, raised a strong, and (as it has since proved) a well-founded, suspicion, that the persons, of whom Mr. M’Gillivray asserted none to have been within a hundred miles of the scene of aggression, were in fact not only then upon the spot, but were themselves the actual aggressors.

The anxiety indeed which the principal Agent of the Company in Canada felt on the subject, cannot be better displayed than in his own words, by which it will appear that he anticipated, with no small degree of alarm, the attempts which might be made to discover the truth, and to expose it.

Upon the 18th of July, the day after he wrote that letter from Fort William, which was laid by his partners before His Majesty’s Secretary of State, he addressed another, from the same place, to a gentleman then at the Sault St. Mary, and evidently with the similar view of impressing upon the mind of his correspondent, and of those to whom he wished his account to be communicated, that the North-West Company were entirely free from any blame with regard to the occurrences at Red River.—

“The madness,” says Mr. M’Gillivray, at the conclusion of his letter*, “for it cannot well be considered in any other light, “that could have induced Mr. Semple to attack a party of “armed men, who were passing quietly by his fort, and “studiously avoiding him, is unaccountable, but so it is, and “he has dearly paid for his temerity. The fact is, that the “system adopted in the Red River by the Earl of Selkirk’s “people from Governor M’Donell downwards, is purely “American, which, you know, is any thing but conciliatory, “and the high language held of *right of soil*, charters, &c. “&c. sounds harsh in the ears of the natives, who consider, “and most justly too, that they are the proprietors of the “soil. It appears that the Brulés, including a few Indians, “amounted to the number of thirty. It does not appear “that they gave their opponents time to make at all use of “the field-piece, for I cannot learn that it was fired. The “man that had the charge of it, on being wounded, ran off “in the cart. I am the more particular in stating all the “facts that have come to my knowledge (and I believe they “are the occurrences that really happened) as the story will “be told in a thousand ways,—that Mr. M’Leod, and Mr. “A., and Mr. B. of the North-West Company, with Brulés, “and Indians, force and arms, destroyed the Colony, man, “woman, and child, sparing only a miserable remnant to “carry the news to York Factory. I am used to this sort “of cant, therefore would not be surprised to hear that the “story is told in this manner. I shall make no comments, “but conclude.

(Signed)

“WM. M’GILLIVRAY.”

* In this letter the writer also stated,—“There were none of “our people within hundreds of miles of the place at the time “the affair happened, which is a most fortunate circumstance, “for, no doubt, as usual we should have the credit of it.”

Although the writer of this letter chooses to “make no comments,” it is not unlikely that the reader will,—and that, “of the thousand ways” in which it was apprehended the story might be told, he will probably select only one, and *that* the very one which the writer appears so afraid of, namely, that Mr. Norman M’Leod, and Mr. A. and Mr. B. of the North-West Company, with Brulés (*Indians* can scarcely be said to be numbered in their muster-roll) *did* destroy the colony with force and arms,—and if they did not exterminate man, woman, and child, it was not because Mr. A. and Mr. B. &c. &c. were not very well inclined so to do, but because Mr. Cuthbert Grant, their Half-breed clerk, the day after the massacre, at the intercession of Mr. Pritchard, fortunately saved them from the fate with which they were threatened.

It appears unnecessary to continue the subject any further,—unless it be to request the reader’s attentive perusal of the depositions and other documents subjoined in the Appendix, and referred to throughout this Statement.—These form but a small portion of the evidence which has been received as connected with the subject ;—but enough has been brought forward, to refute calumny, and to correct misrepresentation,—enough to satisfy every impartial reader, that what is asserted in a former part of this Statement, is but too well-founded, namely—that, from the first knowledge of an intention to form a colony upon the Red River, the North-West Company

determined to prevent it ;—that, in pursuance of this determination, they adopted, both in this country, and abroad, such measures as appeared to them best calculated to carry their resolution into effect ;—that, in doing so, they did not scruple as to the means which were to be employed ;—that their hostile operations increased in proportion as the probable success of the settlement became more apparent ;—and that, at length, they proceeded to those unjustifiable measures which have terminated in the massacre of their fellow-subjects.

The transactions which have been pointed out are of a character not likely to be met with in any other part of the British Empire, and evidently call for a rigid, and speedy inquiry. In aid of such inquiry let those cordially join, who, although commercially connected with that powerful body, the North-West Company of Montreal, must have been kept in total ignorance of the proceedings which have thus ended in savage murders.—“ That these murders,” says Mr. Pritchard, in concluding his narrative,—and, after a residence of thirteen years at the Red River, he is no mean authority,—“ that these murders
 “ of my friends and fellow settlers might have been
 “ prevented, if the partners of the North-West
 “ Company had been, in general, so disposed, is a
 “ point upon which no doubt can exist in the
 “ mind of any man who is acquainted with the
 “ state of the country.—It is a fact, which I can
 “ safely assert in the presence of Almighty God,
 “ and in the face of the world.”—To put an end to

means should be neglected, nor any exertion spared. — Every measure which the Law can sanction, or the Executive power can enforce, should be strenuously adopted, to bring to a close that iron age of oppression, which has so long prevailed in the interior of British North America, and to put a final stop to those proceedings which his Majesty's Government had marked as being “so fatal to the tranquillity of our possessions in that quarter, and so disgraceful to the British name.”

OBSERVATIONS

UPON

A NARRATIVE OF OCCURRENCES, IN THE INDIAN
COUNTRIES OF NORTH AMERICA," &c.

THE Reader has already been informed, in the Advertisement prefixed to the foregoing Statement, that shortly after the account of the transactions contained in it had been printed and circulated, chiefly among Lord Selkirk's personal friends and acquaintance, a Work avowedly sanctioned by the Agents of the North-West Company was published, under the title of "*A Narrative of Occurrences in the Indian Countries of North America, since the Connexion of the Right Honourable the Earl of Selkirk with the Hudson's Bay Company, and his Attempt to establish a Colony on the Red River; with a detailed Account of his Lordship's Military Expedition to, and subsequent Proceedings at Fort William in Upper Canada.*" To that publication a Postscript is subjoined, in which some observations are made upon the printed Statement, in consequence of which, but chiefly on account of the assertions appearing throughout the whole of the "*Narrative,*" it has been thought fit to reprint the Statement itself, with some additional matter, and to lay it before the Public.—The North-West Company having submitted to that

it is but just that the Public should be also furnished with the other side of the case; in addition to which the reader's attention is requested to the following Observations, which the perusal of the "Narrative" and "Postscript" has naturally occasioned.

By the Preface to the "Narrative," &c. it would seem that in consequence of the publication last year of Lord Selkirk's "*Sketch of the British Fur Trade in North America, with Observations relative to the North-West Company of Montreal*," a reply to that Work had been intended on the part of the Company; but, upon further consideration, it appears to have been deemed more advisable to change the plan, and, instead of attempting to refute the charges contained in the "Sketch" itself, the more easy task was preferred of directing a personal attack upon its Author.—"The object in the following pages," as stated in their Preface, "is not to refute the charges and calumnies of Lord Selkirk against the North-West Company in general, but to exhibit a faithful narrative of the occurrences which had taken place since the Earl of Selkirk was first brought into their neighbourhood by his political or commercial speculations."—As therefore the North-West Company have not thought fit to refute what is contained in the "*Sketch of the Fur Trade*," it is not unreasonable to conclude that they were unable to refute it:—and with respect to the "*faithful Narrative of Occurrences*," which they have substituted in the room of any attempt to effect such refutation, it will not be a matter of much difficulty to satisfy the impartial reader that their Work is far from deserving so honourable a notice.

It is stated, in their Preface, that the Agents, or “Representatives of the North-West Company have been furnished by their Constituents, with the most ample materials for their defence,” and that the documents proving the authenticity of the facts and occurrences detailed in their Narrative, are thrown into the Appendix annexed to that publication. “To that Appendix,” say they, “the reader’s attention is earnestly entreated ; and it will be found to contain positive proof of almost every fact asserted in the text.”—To that Appendix, the attention of the reader of these Observations is also earnestly requested ; and, as the Representatives of the North-West Company place such reliance upon the documents which their Appendix contains, as affording positive proof of the facts they have thought fit to assert, it seems advisable, previous to making some general remarks upon the Narrative itself, to examine the materials upon which it is thus stated to be grounded.—Before we notice the superstructure, it will be proper to inspect the foundation.

These materials are comprised in twenty-nine different documents ; which, as far as it may seem at all requisite to advert to them, shall be noticed in the order in which they appear numbered, in their Appendix.

No. 1.

“Protest of Proprietors of the Hudson’s Bay Company, against the Grant to Lord Selkirk.”

This document was adverted to in the preceding

the early symptoms of that hostility which afterwards so strongly marked the conduct of the North-West Company with respect to the Settlement upon the Red River.—Nothing which was therein stated on the subject of that Protest, is controverted in the publication alluded to. Indeed, in the Postscript to the Narrative, it is now admitted that those persons concerned for the North-West Company, who signed the Protest, procured the Stock for the purpose of defeating the Grant to the Earl of Selkirk, or (as the Company's Representatives express it) “the designs then meditated against their Trade.”

“The Protest, however,” they add, “as a Protest of Hudson's Bay Proprietors, must stand on its own merits*.” Be it so. But whether it be a good protest, or a bad protest, it can surely afford neither excuse for, nor extenuation of the aggressions against the Red River Colony.—At all events those of the Company's Representatives who subscribed their names to that document, have contradicted, in their *Narrative*, what they asserted in their *Protest*. “To the North-West Company,” they observe in their *Narrative*, “this establishment,” (the Red River Colony) “was peculiarly objectionable: they denied the right of the Hudson's Bay Company, or Lord Selkirk, to *any part* of the territory ceded to him; of which their predecessors and themselves had been in occupancy for at least a century.†” In their “Protest,” however, they

* Postscript to Narrative, page 132.

† Narrative, page 9.

fully admit *every part* of the territory in question to belong to the Hudson's Bay Company ; objecting, indeed, to *the extent* of the grant proposed to be made of it, or, in their own words, to so large a grant of " that part of the territory which is most valuable, " —fit for cultivation,—and constitutes no inconsiderable portion of the Company's Capital Stock." In another part they object to the Hudson's Bay Company selling " so large and valuable a portion " of their territory ;" and again, they protest against the measure, " because, upon a fair and impartial " estimation of the future value, and importance of " the lands proposed to be granted, and the limited " and unproductive consideration to be given by the " said Earl, your Memorialists cannot perceive for " the said Grant, any other motive than to secure " to the posterity of the said Earl, at the expense of " the Stockholders of the said Company, an immensely valuable landed Estate."—It thus appears evident that the Representatives of the North-West Company, or their Constituents, or both, *admit*, or *deny*, that the lands in question belong to the Hudson's Bay Company, just as the admission or denial may chance best to suit their purpose ; and if, as far as the argument with respect to the Right of Soil is concerned, their " Protest " is to stand upon its own merits, their " Narrative," (as much, at least, as relates to the same topic) must, of course, fall to the ground*.

* In the Postscript to their Narrative, (page 132,) the Repre-

No. 2.

*“ Lord Selkirk’s Advertisement and Prospectus of
“ the New Colony.”*

This document was neither advertised, nor published, nor, in any shape, publicly circulated. It formed part of a sketch of which the Earl of Selkirk had a few copies printed for his own convenience, and for private circulation among a very limited number of his friends, whom he wished to consult about the measures he was then entering into, as connected with his plans of colonization.—But even if the Prospectus, unfinished, and incomplete as it was, had been advertised and publicly circulated, which it was not, it may fairly stand, (in the language of the “ Narrative,”) upon its own merits.—But the Representatives of the North-West Company, in *remarking upon* its contents, have no right to *alter or misstate* them. This, however, they do even with respect to the very first sentence of the document, as printed by themselves.—That document states the soil and climate (with reference to the site

(the Protest) “ was signed by every person present at the “ meeting except Lord Selkirk, and the members of the Direction.”—This is not the fact. Their Protest was not signed by every person present at the meeting, except Lord Selkirk and the members of the Direction.—There were more proprietors present (exclusive of Lord Selkirk and the Directors) who *did not* sign the protest, than those who *did*.

With similar accuracy have they subjoined a Note to the Protest, as printed in their Appendix, in which they also state that (of the Proprietors present) “ John Fish was authorised to vote “ for John Hamborough, and did so.”—John Fish neither voted for himself, nor for John Hamborough.

of the Grant) to be “inferior to none in British America.”—This is immediately translated into the Narrative (page 15,) and Lord Selkirk stated to have represented the climate and soil as being “superior to any in British North America.”—With respect to the *climate*, those who represent the North-West Company admit (page 6) that “it is undoubtedly healthy,” and it does not appear that they elsewhere contradict themselves. It is otherwise with regard to the *soil*.—In their Protest it has already been shewn that, in treating of the grant, they describe it as forming a part of the Hudson’s Bay Company’s territory “which is most valuable,—fit for cultivation,” &c. &c.—But in their Narrative (page 7) they state the country in the neighbourhood of the Red River Settlement as consisting of extensive plains, where “the soil, excepting partially on the banks of the rivers, is light and unproductive.”

The following letter from Mr. Pritchard, (a gentleman whose name has frequently been noticed in the Statement,) written some years ago, will probably be deemed a better authority on this subject than the Narrative.

“MONTREAL, 4th October, 1814.

“SIR,

“In answer to your queries, concerning the climate and natural productions of Red River, I have the honour to present you with the following Statement :

“I have resided thirteen years on Red River, and have always been in the habit of cultivating its soil ; and from experience can take upon myself to say, that the climate is much the same as in Upper Canada ; that is, the winters are of

" Last summer I had water melons sown in the open
 " ground on the 4th of June, which were ripe early in Sep-
 " tember; the largest weighing 13lbs. The musk melons
 " and cucumbers were as large, and as well flavoured, as I
 " ever met with at a fruit-shop in London. Turnips sown
 " the 25th of June, were fit for the table about the middle
 " of August. In October one of them weighed 14½lbs.
 " One bushel of potatoes will produce from forty to fifty
 " bushels.

" Wheat, barley, and rye I have only seen in small quan-
 " tities; but I am of opinion, that no country will produce
 " a more abundant crop, or with so little trouble, as on Red
 " River.

" The natural produce of the soil, is wild flax, wild rice,
 " cherries, pears, raspberries, strawberries, grapes, bush
 " cranberries, currants, plums, crab apples, and different
 " roots, which the Indians prepare as food. The plains
 " likewise abound with medicinal herbs and roots. Salt
 " springs are very common; and the sugar maple is to be
 " found in every point.

" I need not mention the immense herds of buffaloe that
 " graze on the plains, or the number of elk and moose deer
 " that inhabit the woods.

" A line, with sixty hooks, set across any part of the river,
 " will give you from sixty to a hundred catfish per day,
 " each weighing from 9 to 25lbs. besides sturgeon, and
 " many other fish peculiar to North America, may be taken
 " in great abundance with nets. In the fall and spring,
 " wild fowl of almost all descriptions are very common.
 " The general price of a buffaloe, as large as an English ox,
 " is from twenty to thirty rounds of ammunition, or from
 " three-fourths to one pound of tobacco.

" But the real value of the country, is the fertility of its
 " soil, and the facility that Nature offers to the industrious of
 " obtaining the reward of his labour. Here a luxuriant
 " soil only asks the labour of the ploughman; not a root or

“ stump requires to be taken up. *The lands are already*
 “ cleared. The plains present you with a pasturage of
 “ many hundred miles in extent ; and your horses and cows,
 “ except those required to be milked, may be left out all
 “ winter. In truth, I know of no country that offers so
 “ many advantages : an exceeding wholesome climate, a
 “ fertile soil, fish, flesh, and fowls in abundance ; and sugar
 “ and salt for the trouble of making them. In fact, all the
 “ necessities and all the luxuries that are useful to mankind,
 “ are to be found there. Society only is wanting.

“ I trust, my good Sir, you will pardon the cursory man-
 “ ner in which this is written. Being on the eve of my
 “ departure, I hope will plead an excuse ; and believe me,
 “ though hastily written, the foregoing statements are strictly
 “ correct.

“ I have the honour to be,

“ SIR,

“ Your most obedient humble Servant,

“ JOHN PRITCHARD.”

“ COLIN ROBERTSON, Esq.”

No. 3.

“ *Admeasurement of the Distance and Stations*
 “ *between York Factory and Lord Selkirk's*
 “ *Colony ; by David Thompson, Geographer to*
 “ *the North-West Company.*”

This document merits very little notice.—It would appear however, that, with respect to the contents of it, the Representatives contradict even their own Geographer.—He states the distance from York Factory, at Port Nelson in Hudson's Bay, to the Forks of Red River, (the situation of Lord Selkirk's colony) to be seven hundred and twenty-five miles :

“Admeasurement,” &c. call the distance from York Factory to Red River nine hundred and forty-five miles*. They appear, indeed, not only to differ from *their Geographer*, but from *themselves*, having already, in their Protest, stated the distance from any sea port to be two thousand miles!

In their observation, however, with respect to the dreary, barren, and inhospitable tract between Lake Winipic and the coasts of Hudson’s Bay they are more correct ;—a tract in which they state that “ the
“ wretches who should chance to lose their canoe
“ must, to a certainty, perish ! ”—And this was the region to which several of the partners of the North-West Company, headed by Mr. Norman M’Leod, the Magistrate, one of the principal Agents of the Company, drove the settlers, a few days subsequent to the massacre at Red River, after plundering them of their property, burning their habitations, and depriving them of their provisions†.

Nos. 4, 5, and 6.

These contain the opinions of Counsel upon points submitted to them on the part of the North-West Company with respect to the validity of the Hudson’s Bay Charter, &c.

The two first, No. 4 and 5 (as likewise a great part of No. 6.) relate entirely to the right of *exclusive trade* specified in the Charter, and to the provisions

* Appendix to “ Narrative of Occurrences,” No 3, page 10.

† See page 96 of Statement.

contained therein for the purpose of maintaining that right,—such as preventing free passage through their territory, seizing persons and property, confiscating goods, &c. : but as no attempt is made, except by vague assertion, to shew that the Hudson's Bay Company claim those rights, it does not appear very obvious for what purpose legal opinions are referred to which militate against claims that are not made. —That these claims, in fact, are not made, may be gathered from the memorial* which was presented to his Majesty's Secretary of State, in February, 1814, by the Agents of the North-West Company themselves ; by which it appears, that the memorialists and their predecessors have, for a long course of years, and without obstruction to their transit, pushed their Trade through that very part of those territories, which, in their protest, they have admitted to belong to the Hudson's Bay Company, and which they strenuously admonished the Company not to part with.

With respect to the document, No. 6, it cannot be thought requisite that any discussion should be entered upon, in these Observations. The legal opinions and argument contained in it are detailed at great length ; and the reader, on perusing, and considering them, must judge for himself.—At all events they appear, in their result, to be diametrically opposite to those inserted in Appendix, [A.]†.

* See Appendix to Narrative, page 57.

† It appears doubtful whether the N. W. Company, in asking the opinion of Counsel, with respect to the validity of the Hudson's Bay Company's Charter, ever submitted to such Counsel a

Nos. 7, 8, 9, 10, 11, and 12.

We come now to the more important part of those “ ample materials,” furnished to the Representatives of the North-West Company by their Constituents; viz. the affidavits, depositions, and other proofs upon which the facts asserted in their Narrative are stated to be founded.

The six documents, numbered as above, are depositions of several of the settlers and others, who were brought down to Canada by the North-West Company, after the destruction of the colony in the summer of 1815.—The first of these (numbered 7) is ushered in by a note, in page 16 of their Narrative, in which they announce that, “ Amongst many other “ affidavits of the unfortunate people who were so “ deceived,” (viz. the settlers deceived by Lord Selkirk,) “ one by George Campbell will be found “ in the Appendix, No. VII*.”—In case the reader should not have the “ Narrative of Occurrences” at hand for reference, a copy of Campbell’s deposition, (as printed in that publication) is inserted in the

asked, he certainly neither was furnished with a copy, or even abstract, of the Charter. This appears by his answer to the 5th point, as printed in document No. 5, of their Appendix.

* The assertion of the advocates of the North-West Company that Lord Selkirk deceived, cheated, and starved the settlers, is absurd on the face of it.—By the terms of his Grant, he was bound for so many years, under a heavy penalty, to send out annually a certain number of persons to Hudson’s Bay. It was besides his main and anxious wish and object to promote the increase of the Settlement which he had undertaken. And in order to encourage others to emigrate to the same quarter, he forsooth cheated and starved those who had already gone to the Red River!

Appendix to this Statement*, and by a perusal of it, he will be fully enabled to judge whether its contents are entitled to the degree of importance attached to them by those who have so triumphantly produced his affidavit.

This “unfortunate” man (Campbell) as the reader may recollect, was one of those, who, in the winter of 1814-15, deserted from the Red River settlement, where, as stated by him in the conclusion of his affidavit, “finding his treatment the reverse to what he “was led to expect from Lord Selkirk’s representations, and for the reasons specified in this deposition, he judged it expedient to return to Canada,” (where, by the bye, he had never been) “and, for “that purpose, requested a passage from Red River, “from Mr. Duncan Cameron, a proprietor in the “North-West Company, which was granted.—And “farther this deponent says not.—

(Signed) “GEORGE CAMPBELL.”

The only sensible part of this affidavit is its conclusion—“farther this deponent says not.” For had Mr. George Campbell “judged it expedient” farther to say, he might inadvertently have told the truth, and thereby deserted the cause of his second patrons, as he had already, by his treachery, deserted that of his first. Had this “unfortunate man” gone on deposing, he might have chanced, and with the strictest truth, to have added, “And this deponent farther saith he was the principal person who deserted from

* See Appendix, [F. F.]

the Settlement, broke his contract, and defrauded his employer ;—that he not only did so himself, but acted as the ringleader, among the other deserters whom he prevailed upon to follow his example ;—that he afterwards headed an armed band, under the directions of the said Duncan Cameron, the North-West Company's partner, for the purpose of plundering the storehouse of the Settlement, and robbing it of the field pieces, swivels, &c. which had been provided for its security ;—that one of his brother deserters having been apprehended for assisting in said robbery, deponent, at the desire of said partner, again headed a party of armed men composed of the North-West Company's clerks, servants, and others, and by force of arms rescued the person who was so apprehended ;—that, after depriving, as before-mentioned, his fellow settlers of their means of effectual resistance, deponent further “judged it expedient” to assist in attacking them with fire arms, by which several of them were severely wounded, and one of whom died of his wounds ;—that, after said colony was destroyed, and the houses burnt to the ground, deponent was taken down by said North-West Company to their trading post of Fort William in Canada, where he found many of the partnership then assembled ;—that said partners received deponent with great cordiality and respect ;—that they praised him highly for his conduct, and did him the honour of placing him at table in their dining hall at Fort William next to themselves, and above the regular clerks in the Company's service. Deponent further saith, that a Book, or debtor and creditor

Account, was opened at Fort William between said Company, and said deserters, which book is marked and entitled "The Red River and Colonial Register, 1815;"—that to his, (deponent's) account in said book is added, in the hand writing, and with the signature of said partner Cameron, the following "faithful narrative," viz. "that he, (deponent) was a very decent man, and a great partizan, " who had exposed his life for the North-West Company;—that he had been of essential service in the " transactions of Red River, and deserved at least " £100 Halifax, and every other service that could " be rendered to him by said Company; and that " rather than his (deponent's) merits and services " should go unrewarded, he (Cameron) would give " £100 out of his own pocket, though already a " great loser by his campaign at Red River."—Deponent further saith, that as a remuneration for said services in attacking the settlement, pillaging the stores, burning the houses, and shedding the blood of his fellow settlers, he judged it expedient to accept said £100, from said Company*, and which sum was accordingly paid to him by one of the honourable Company's clerks, his worthy friend Mr. Robert M'Robb."

Of a similar character with Campbell's deposition, No. 7, are the " other affidavits of the unfortunate people who were so deceived," and which are numbered (in the Appendix to the " Narrative") 8 to 12 inclusive. Of these the Representatives of the

* See page 32, also Appendix, [S.] page xxviii.

North-West Company, in a note in page 25 of their publication, say, "the best evidence of these, and
"the future transactions, is that of the persons engaged in them; under the order of M'Donell,
"which will be found in the affidavits in the Appendix, viz. No. 8, 9, 10, 11, and 12."

If the reader think it necessary to pay attention to these depositions, he may be informed that, of the Deponents, James Pinkman (No. 9,) deserted in debt to his employer £18 3s. for articles delivered to him at the settlement. He also stole six guns, which he sold to the North-West Company, and for which he received a credit, in the book of account before alluded to, of £10 15s. as appears entered in the hand writing of one of the partners themselves. Another of these unfortunate deponents, Hugh Swords (No. 10) had likewise an account opened with him at Fort William, in which credit is allowed him by the North-West Company for £16. 2s. 10d. for articles brought away from the settlement, and delivered to the Company. To this amount was added £20 as a reward for his services. What his services were is sufficiently evident, from the note, subjoined to his account, in the handwriting of the North-West Company's partner, Alexander M'Donell. "His," (Hugh Sword's) "behaviour towards us has been that of a true partisan, steady, brave, and resolute man, and was something of a leading character among his countrymen, and deserves at least about £20."—James Golden, another of these unfortunate deponents (No. 11.) also decamped in debt to the settlement, (£19. 19s.) His account at Fort William was likewise

written out, and signed by the same partner, Alexander M'Donell, and credit was given him for £13. 17s. 6d. being the amount of articles brought away from the settlement. And a further allowance of £20 for services which are also best described in the note subjoined to his account in the hand-writing, and with the signature, of the same partner, viz. "An active, smart fellow—left the Hudson's Bay Company in April last—a true partisan, steady, and brave—took a most active part in the campaign of this spring, and deserves from £15 to £20.—He had lost about £20, by leaving the Hudson's Bay Company a month before the expiration of his contract."

But enough of these wretched Depositions, which are rendered ~~not~~ the less disgusting by being attested before a principal Agent of the North-West Company, Mr. Norman M'Leod—a fit magistrate to take such affidavits! What reliance can be put on narratives grounded upon such rotten materials? or what dependance ought to be placed upon affidavits procured under the direction of those, who, to serve their purposes of deception, obtain Depositions by seducing and bribing the Deponents?

No. 13.

“ *Speech of the GRANDES OREILLES, a great
 “ chief of the Chippeways, made in the Indian
 “ Hall, at the Forks of Red River, on the 19th
 “ of June, 1814; addressed to several of the
 “ partners of the North-West Company. The
 “ chief holding a string of wampum in his hands
 “ tied at both ends.”*

This Speech, with its magnificent Title, bears every appearance of having been composed, for the occasion, by those who wished it to be believed that the North-West Company had sufficient influence over the Indians to make them commit acts of violence against the Red River settlement, had such been the wish of the Company.

Without at all admitting that the North-West Company possessed such influence over any considerable portion of the native tribes, it should be recollected that, at the date of this alleged speech, those partners, whose outrages against the colony became afterwards so conspicuous, had not proceeded to the *foul* means hinted at in the letter of their partner, Mr. Alexander M^cDonell, of the 5th of August, 1814*. They no doubt expected, at that time, that the settlement would be destroyed by what they considered as *fair* means, namely, by *threats, intimidation, seduction, and bribery*. And if these failed, it

* See page 11, Statement.

was time enough, as they thought, to have recourse to the hostility of such allies as the Grandes Oreilles, and to raise the Indians against the settlement in the mode directed by their agent Mr. Norman M'Leod, in his letter of the 3rd of June, 1816*.

The very first sentence of the speech of Grandes Oreilles is sufficient to throw doubt upon its authenticity. "Traders, my children, when I first heard of the troubles you were in at this place, my heart became sorry, and the tears ran down my cheeks." A most unIndian-like acknowledgment, even after making every allowance for the figurative language of a Chippewa chief. But a Chippewa chief would scarcely, at a Council held with the Partners of the North-West Company, have addressed them in the words "my children." He would have addressed the principal partner present by the title of "Father," and styled himself and his people "Children." Thus in the speech of the Chippewa chief of Sand Lake, at the council held in Upper Canada by the members of the Indian Department (an extract of which, taken from the minutes of that Department, has been already referred to) he invariably addressed himself to the principal member present by the title of "Father," and was answered by him with the expression of "my Child." When the Indian chiefs also came to offer their assistance to Governor Semple and the settlers, they said, in the council that was held on that occasion, that they came to

* See page 100, Statement.

ask their "Father's" advice; and that if their "Father" wanted aid, they and their warriors would come and assist him, &c.

"*What,*" exclaims Grandes Oreilles, speaking of the settlers, "*what* are these land workers? *what* brought them here? *who* gave them *our* lands?" (did the Chippewa chief select the words which were to be printed in italics?) "and how do they dare to prevent our Traders from purchasing whatever we have to give them upon our own lands?" Our own lands! Who then, after all, are to be considered as the true and rightful owners of these most *debateable* lands? The Hudson's Bay Company most pertinaciously maintain that, by virtue of their Charter, these lands belong to them,—a claim fully admitted by those who were concerned for the North-West Company, and who signed the Protest against granting away so large an extent of the Hudson's Bay territories. But in their Narrative (page 9,) the Representatives say that their Constituents deny the right of the Hudson's Bay Company to *any part* of the lands in question, of which they state their predecessors, and themselves have had the occupancy for at least a century. This again is contradicted by their own Grandes Oreilles maintaining that these lands belong to the Native Indians. Then comes the principal Agent of the North-West Company, Mr. William M'Gillivray, claiming the territory in behalf of the *Half-breed Bois-Brulés*, "*who,*" says he, "*consider themselves as possessors of the country, and lords of the soil*.*" And last of all, Mr.

* See note, page 35, of Statement.

Simon M'Gillivray, another agent of the Company, makes his appearance, and entering a caveat against both *Half-breeds*, and *Whole-breeds*, would make his Majesty's Government believe, that the lands in question belong to the United States*. It would be vain to attempt to reconcile these contradictions of the Company; and the hint with which their own Chippewa Orator concludes his speech (if it be his speech) appears not unaptly addressed to those who composed his audience:—"These are my words" says Grandes Oreilles, "and I have not two mouths."

No. 14.

*"Resolutions of the Hudson's Bay Company,
"19th May, 1815."*

It seems unnecessary to occupy much of the reader's attention on the subject of this article. In promoting their views of establishing settlers within the Hudson's Bay territory, the Company thought it incumbent upon them to do all in their power to make regulations which might tend to secure as efficient an administration of justice as circumstances would admit.—The Resolutions in question were accordingly founded upon the legal opinions which they had obtained†, and were submitted to, and approved by Counsel.

* See conclusion of Mr. S. M'Gillivray's letter to Earl Bathurst, Appendix, [D. D.] page lxiv.

† See the opinions of Sir Samuel Romilly and the other Counsel. Appendix, [A.]

“The resolutions,” (says the Narrative, page 45)
“were, as usual, opposed by all the members of the
“Company present, except the noble Lord, and the
“Committee, but these being the majority, opposi-
“tion was ineffectual*. After some discussion the
“names of the persons appointed to the different
“offices were also communicated, and the surprise
“of the persons representing the interests of the
“Canadian traders, who were also members of the
“Hudson’s Bay Company, may be easily conceived,
“when they learnt that Mr. Macdonell, against
“whom warrants were issued on information upon
“oath, of acts of felony committed by him, was
“appointed the second person in command, and
“administration of justice throughout the territories
“of the Hudson’s Bay Company.” But, did the
persons representing the interests of the Canadian
traders imagine that the Hudson’s Bay Company
would, without better information, pay attention to
warrants alleged to be issued by such a magistrate
as Mr. Norman M’Leod, upon informations, on
oath, of such informants as Messrs. George Camp-
bell, Pinkman, Golden, &c. &c. with respect to

* No bad reason for an “opposition being ineffectual,” viz. it being left in the minority!—With respect to the assertion in the Narrative that “the resolutions were, as usual, opposed by
“all the members of the Company present, except the noble
“Lord, and the Committee,” this, “as usual,” is not the fact.—
There were none who opposed the resolutions but those agents of the North-West Company who were present, with the exception of one small proprietor of £100 stock.

acts of felony which the lawyers, consulted by the North-West Company themselves, state to be *no felony*?—“From the best legal opinions, in this “country,” say the Representatives in a letter to the Secretary of State, of the 1st of February, 1816, “it “will be impossible to proceed further, as the defendants” (Mr. Miles Macdonell, and Mr. Spencer) “evidently acted under a misapprehension of authority, and no sufficient proof can be adduced of a “felonious intent*.”—As the Representatives of the North-West Company thus pay proper respect to the opinions of their legal advisers, the Hudson’s Bay Company may also be permitted to confide in the learned Counsel whom they have consulted, and by whose sanction the Resolutions alluded to were entered into.

No. 15, 16, 17, and 18.

These are depositions taken of several of the clerks and others in the North-West Company’s service, and relate to the aggressions stated to have been committed against that Company chiefly by Mr. Colin Robertson.—It may be recollected that after the dispersion of the settlers in the summer of 1815, when those of the colonists, who would not be seduced by

* See Appendix to “Narrative,” No. 26, page 19, in which the Counsel employed by the North-West Company say that they (Macdonell and Spencer) could not be properly convicted on a charge of felony.

the North-West Company, had gone to Jack River House, at the north end of Lake Winnipic, they were soon afterwards accidentally joined at that place by Mr. Robertson, who was engaged in the service of the Hudson's Bay Company.—Finding that these settlers were disposed to return to the Red River, he volunteered to take charge of them; and, with the addition of a few Canadians who were with him, they accordingly went back to the Settlement*.

Throughout the “Narrative” an impression is attempted to be fixed upon the mind of the reader, by those who represent the North-West Company, that Mr. Robertson was an agent of the Earl of Selkirk; and that whatever measures were adopted by that gentleman after the return of the settlers, Lord Selkirk is to be considered accountable for them.—Mr. Robertson, however, was neither an agent for Lord Selkirk, nor in any shape engaged, or employed by him, or under his directions.—Lord Selkirk, indeed, was ignorant, till the spring of 1816, that the Colony was re-established. Lagimoniere, the Canadian who brought from Red River to Montreal the intelligence of its re-establishment, found, to his surprise, that his Lordship was in that place. Neither Mr. Robertson nor the settlers knew that he was in America; and Lagimoniere, on his way back to the settlement, having been way-laid, and robbed of his letters, &c. by the directions of the North-West Company, and prevented from pro-

* See page 68 of Statement.

ceeding to Red River*, the colonists knew nothing of Lord Selkirk's being in Canada, till they were informed of it after the second destruction of the settlement, when met, in their journey towards the coast of Hudson's Bay, by Mr. Norman M'Leod and the other partners, as has been already stated†.

The depositions above-mentioned (No. 15, 16, 17, and 18,) detail various acts of alleged violence, and felony, ascribed to Mr. Robertson. If he has committed such acts, he, of course, will be amenable to the law for what he may have done. He will, however, be heard in his defence; and the reader who recollects what has been already stated relative to the plots which were discovered to be again preparing against the colonists, and "the storm gathering in the North," which was to burst on the heads of the settlers‡, &c. will probably think that Mr. Robertson's defence will not prove unsuccessful. But whether the result be his acquittal, or his conviction, in neither case can it be admitted that his conduct, right or wrong, can, in any shape, excuse or palliate the aggression and outrage instigated by the North-West Company against the Settlement.

No. 19.

This is also a Deposition of one of the Clerks of the North-West Company; and is produced for the

* See note, page 41.

† See page 90 of Statement.

‡ See page 71 of Statement.

purpose of proving that Mr. Alexander M'Donell, the Company's partner, whom we have seen so active in the destruction of the Red River Settlement, in the years 1815 and 1816, meant no harm to the settlers, when he sent off his armed party of Bois-Brulés under Cuthbert Grant, from the Portage des Prairies; but that he directed them "not to go near the
 " establishment or colony of the Hudson's Bay
 " Company, near the Forks of the Red River, nor
 " on any account to molest any of the settlers," &c. &c.—This affidavit requires no observation*.

No. 20, 21, and 22.

These Depositions relate chiefly to the proceedings which occurred at Fort William on Lake Superior, when Lord Selkirk first arrived at that place:—and as the account of those transactions occupies a great part of the "Narrative of Occurrences," the remarks with respect to them shall be offered when we advert to the work itself generally, as referring to that part of the subject.—The substance of these depositions, (No. 20, 21, and 22,) shall then be noticed†.

It should be observed, however, that, with respect to No. 20, viz. the *Deposition of Lieutenants Brumby and Misani*, their affidavit purports to be "sworn
 " at Montreal;" but the name of no magistrate is affixed to it.—In ordinary cases such an omission would not be worth mentioning, and might naturally

* See Statement, p. 71. 79, &c. † See Observations, p. 158,

be ascribed to an accidental mistake in the copy, or to an error of the press.—But, in every thing which relates to the “ample materials” before us, the reader cannot be too much on his guard ; and in the case of the document in question, it is not at all unlikely that it will be subsequently found that no affidavit was made at all, or that, for some purpose which is not avowed, it has not been deemed prudent to annex the name of the magistrate by whom the deposition was taken. As the document however purports to be signed by two British officers, it shall be looked upon, in this case, as of equal weight with a more regular deposition, and considered accordingly.

No. 23.

*“ To the Right Honourable Earl Bathurst, His
“ Majesty’s Principal Secretary of State for
“ War and Colonies.”*

*“ The Memorial and Petition of M^r Tavish, Fraser,
“ and Co. and Inglis, Ellice, and Co. of London,
“ Merchants, on their own behalf, and on behalf
“ of other persons interested in the North-West
“ Company of Fur Traders of Canada.”*

This Memorial does not appear to require much notice in these Observations. — His Majesty’s Government to whom it was officially addressed were the best judges of its object and contents. The memorialists, it would seem, received only a verbal answer to their application, intimating that Government would attend to the subject, *which was one of*

*great difficulty**.—What the difficulty was is not stated. It was probably found not an easy matter officially to answer the application of parties who seemed, in their assertions, to take so little pains to be consistent. It could not reasonably be expected, that the prayer of a memorial would readily be acceded to, which applied for a convoy to be granted by the Admiralty “to protect the property of the “ memorialists against any attempts on the part of “ the armed vessels of the Hudson’s Bay Company,” without its being previously shewn (which does not appear to have been attempted), that that Company either had the intention, or the power, to molest them. Besides, a petition of “ persons interested in the North-West Company of fur traders of “ Canada,” stating, among other misfortunes, that they had been obliged to conduct their trade through that country, Canada, for a long course of years, to great disadvantage, certainly could not appear very intelligible. “ Your memorialists,” say they, “ have “ hitherto respected the supposed rights of the Hudson’s Bay Company, by not opening through the “ territories which they claim as their property under “ their Charter, the more direct, and expeditious “ communication from Lake Winipic to Hudson’s “ Bay, but have been contented, for a long series “ of years, to conduct their trade through the province of Canada to their serious inconvenience and “ disadvantage; the route from Lake Winipic to “ Montreal exceeding in distance 2500 miles, and

* See “ Narrative,” page 129.

“ requiring a period of 80 days to effect it, that to
“ Hudson’s Bay being only 500 miles, and affording
“ in every respect greater facilities.” But although,
in one part of their memorial, they thus take merit
for having hitherto respected these supposed rights ;
in another, they say they “ have ever contended
“ that these rights are only nominal.” Why rights
asserted to be *only nominal* should have been thus
respected, so that a powerful body of British mer-
chants (whose mercantile returns are stated, in their
Memorial, to be four times greater than those of the
Hudson’s Bay Company) should thereby have been
subjected to serious disadvantage for a long course
of years, could certainly not appear very obvious.
But their forbearance is still more unaccountable,
when it is observed that the same parties (in their
“ Narrative,” page 13,) have expressly declared
“ that they would neither acknowledge the exclusive
“ right of trade,” (a right which appears, even by
their own memorial, not to have been claimed or
exercised*) “ or power of jurisdiction claimed by the
“ Hudson’s Bay Company.” And it is also worthy
of remark, that, at the very moment when the Com-
pany’s Agents in England were presenting to his
Majesty’s Secretary of State a memorial, in which
they *denied* the rights of the Hudson’s Bay Charter,
the Company’s Agents in Canada were presenting
another to the same Department (through Sir George

* See their Memorial, (page 57 of Appendix to Narrative) by
which it appears that the Canadians have carried on their trade
through the territories of the Hudson’s Bay Company without
obstruction.

Prevost, the Governor of the colony,) in which they admitted those rights, requesting the Governor "to intercede with his Majesty's Government, to use their influence with the Hudson's Bay Company, to induce their acceding to the application of their correspondents in London, for a permission to send annually (whilst the obstruction to the usual communication through Canada should continue) a vessel, for the purpose of carrying in provisions, and supplies for the North-West Company's trade, and bring out their returns." It could not, therefore, be a very easy matter for his Majesty's Government distinctly to perceive in the applications thus made on behalf of the persons interested in the North-West Company, what rights they seemed inclined to allow, and what to deny:—rights, some of which they fully admit in their "Protest,"—*refuse to acknowledge* in their "Narrative,"—*respect* in one of their "Memorials,"—and, in the other, *to prevent the exercise of them, apply for an Admiralty convoy.*

Nor do they appear to be more distinct with respect to their account of that line of communication, by Hudson's Bay, which they have thus forborne to open, and which (compared to that by Montreal) they describe in their memorial as "affording, in every respect, greater facilities."—For, in their Narrative, (page 18) we find them describing this line of communication as "the route the most difficult in the country, even for athletic and experienced batteaux men, who have to carry and drag their boats a considerable part of the distance over rough and untrodden roads and rugged precipices, and through dangerous rapids and waterfalls."

Nos. 24, 25, 26, and 27.

These are official letters from the same parties, who presented the preceding memorial, to his Majesty's Secretary of State for the Colonies, and which, (as it would appear from the Narrative, page 128) shared the same fate with that document, a verbal answer only having been given.—If any reply of a more official description was received, the parties have not thought fit to produce it.

No. 28.

“ Deposition of D. M'Kenzie.”

Mr. M'Kenzie describes himself in his affidavit as being “ a retired, or dormant, partner of the North-West Company.” His affidavit is very long, and accompanied by numerous documents which have been given in as forming part of his deposition, the purport of which is shortly as follows.—That he was one of the partners apprehended at Fort William by the Earl of Selkirk ; and when the others were sent off (as already narrated*) he requested permission from Lord Selkirk to accompany them, but was refused ;—that he was then confined in a dark dungeon, and, while in such confinement, every method was taken by Lord Selkirk, and by those whom he employed, to induce the prisoner to do every thing which they directed, and to yield implicit obedience

* See Statement, page 65.

to all that might be required of him.—That at length, wearied out by confinement and importunity, and having expressed a wish to do as they advised, provided they released him from his dungeon, he was accordingly removed to another part of the building, but still kept a close prisoner under a guard; that he at length yielded implicit obedience to what was required of him, being frequently kept in a state of intoxication, and for six weeks wrote whatever was dictated; papers being brought for him to sign, and deeds to execute.—That, in consequence of having thus yielded implicit obedience to the orders and commands of the Earl of Selkirk, he was discharged from his imprisonment; upon which he immediately went to the nearest Notary Public, and signed a Protest against all that had been done with respect to him, and against every thing which he had been so prevailed upon, or compelled, to execute.

Without being put in possession of Lord Selkirk's account of the transactions which may have taken place between himself and Mr. M'Kenzie; and until his Lordship has an opportunity of answering those heavy charges thus exhibited against him, the reader will probably not be disposed to put much reliance upon the accusations contained in Mr. M'Kenzie's deposition.—Better information than what appears to be conveyed by his affidavit, must be looked for, before credit is to be given to assertions which bear with them so little the appearance of credibility. This deposition, it should be observed, contains a very long and minute detail of the tyrannical and

disgraceful means alleged to have been taken to influence the deponent.—In his affidavit he details, in great order, the proceedings instigated by Lord Selkirk, Captain D'Orsonnens, Mr. Miles Macdonell, Dr. Allan, and others, in order to prevail upon him to submit himself entirely to their directions.—He states, with great precision, the purport, and, in several cases, the very words, of conversations asserted to have occurred for the purpose of seducing him;—in short, he produces a circumstantial and detailed Report of every thing that happened;—and *to the truth of all this he swears*, having already solemnly declared, in a protest before a Notary Public, (which protest is attached to his affidavit,) that during the whole period in which the transactions in question, took place, he, the Deponent, was drunk and deranged!—namely; “from the 13th of August “to the 11th of October, 1816; during all which “time,” says this dormant partner, “I was in a “state of inebriety, and actual derangement of “mind.”—The reader, therefore, will doubtless require some more substantial proof of the serious accusations which are thus made by the North-West Company against Lord Selkirk, and the gentlemen who accompanied him into the interior of North America, than the assertions of a deponent, who has put upon record, that he was in a state of intoxication during all the time in which those facts and circumstances occurred, to the truth of which he has solemnly sworn.

The reader will also naturally inquire why Mr. D. M'Kenzie, who is stated to have made his pro-

test before a Notary Public at Drummond's Island, on the 11th of November, did not make his affidavit till three weeks afterwards; viz. the 2nd of December. —It cannot be said, that he could not find an acting magistrate to take his deposition at that place, because the name of one appears affixed as witness to the protest itself. The Representatives of the North-West Company, of course, wish it to be believed that Mr. M'Kenzie shewed a laudable anxiety to protest before a Notary Public, as soon as an opportunity offered for that purpose.—But if he was right in losing no time in making his Protest, he must have been wrong in unnecessarily delaying his Deposition. —The fact will probably turn out to be this,—that Mr. M'Kenzie neither intended to make the one nor the other.

The Narrative proceeds by stating, that, “after complying with these terms, “he,” (M'Kenzie,) “was immediately released; and as far as he could “make atonement for his conduct to his partners, “before he could have any communication with “them he appears to have attempted it by the protest,” &c.—It does not seem, however, that this repentant partner was, after his release, in so very great a hurry to atone for his sins, and obtain absolution, as those concerned for the North-West Company wish it to be believed.—In this part of their Narrative, indeed, it is evident that they are anxious to be very guarded in their assertions:— “As far as he could make atonement,” say they; “for his conduct to his partners, before any communication with them, he appears to have attempted

“ it by the protest,” &c.—He *appears to have attempted*.—But, among all the “ ample materials” furnished by their constituents, have the representatives received nothing by which *it also appears* that this part of their Narrative cannot be true ; and that Mr. M’Kenzie *had* communication with his partners before he made his protest ? Has no document reached them with the information that Mr. M’Kenzie had determined to become an evidence for the Crown in support of the criminal charges brought against several of the partners who had been apprehended ?—that, with such intention, he had proceeded on his way to Montreal, and had passed the Sault St. Mary, St. Joseph’s, and Drummond’s Island, without applying either to Magistrate, or Notary Public, for the purpose of making protest or affidavit ?—that afterwards, in his route to Lower Canada, he was met, upon the 5th or 6th of November, on the shore of Lake Huron, by one of his partners who had been apprehended, but admitted to bail, and who carried him back a prisoner, (as he stated to M. Pritchard, who was with him) to Drummond’s Island ?—and that, subsequent to this communication with his partner, namely, on the 11th of November, and not till then, was the protest made, which is now exhibited, and which, after an interval of three weeks preparation, was followed by that deposition which is thus produced to the public in the Appendix to their Narrative ?—The public, however, will doubtless postpone its judgment upon these matters until an opportunity of obtaining further information be afforded : And with respect to those transactions

which may have occurred between the Earl of Selkirk and Mr. M'Kenzie (as a partner of the North-West Company) in as far as relates to the transfer, by the latter to the former, of a portion of the Company's property, whatever may be the result of such conveyance, if contested in a court of law, it is evident that Lord Selkirk considered it as legal and unobjectionable, otherwise there never could have appeared in the deed or agreement an express clause, by which arbitrators were to be nominated in England by the Lords Chief Justices of the Courts of King's Bench and Common Pleas.—Nor can it be credited, that if Lord Selkirk had considered the purchase alluded to in the Narrative to be illegal, or liable to any objection, he would ever have permitted those fragments of original papers, rough draughts of clauses, provisions, &c. (which passed between the parties in preparing the conveyance) to have remained in the possession, as is stated, of Mr. M'Kenzie, the person whom, according to the assertion of the Representatives of the North-West Company, his Lordship was so shamefully deceiving; and which documents they so triumphantly produce, as incontestable proof of his guilt.

[No. 29.]

“ Deposition of Robert M'Robb.”

THIS is the second deposition (in the Appendix to the Narrative) of Mr. Robert M'Robb, who seems to be a very useful clerk of the North-West Company.

His hand-writing appears every where throughout the Book of account formerly alluded to, in which those bribes, and prices of stolen goods, were registered, which were paid to the settlers who had deserted, and pillaged the Red River Settlement.—In most of these cases Mr. M'Robb was the channel by which the payments were made, and the accounts balanced.

His deposition does not contain any thing of much importance. He also gives little fragments of conversations which are stated to have occurred, inserting as usual, in *Italics*, the precise words which are declared to have passed, with a prudent salvo subjoined to them of “ or somewhat to that, or the like effect.”—The principal object, however, of the deposition, is to inform the reader that a warrant had been issued by D. Mitchell, Esq. a justice of the peace in Upper Canada, to arrest Lord Selkirk on a charge of felony ; and that the deponent proceeded with “ one Robinson, who was, as the deponent understood, a constable, or public officer of some such description,” to carry the warrant into execution ; but it would appear that his Lordship, so far from being disposed to yield submission to the Writ, was more inclined to arrest the Constable,—“ or somewhat to that or the like effect.”

Had Mr. Robert M'Robb been pleased to have been a little more communicative in his Deposition, he might have added, that after the North-West Company's partners, whom Lord Selkirk had apprehended, had been admitted to bail at Montreal, several of them immediately returned to Upper Canada,

traversing that Province to and fro for the purpose of discovering, if possible, a magistrate who would grant a criminal warrant against the Earl of Selkirk, and against several of the gentlemen who were with him, on a charge of robbery:—that they applied separately to the Judges of Upper Canada, who, seeing no grounds for the charge, refused the warrant:—that they at length, however, found a magistrate, who, though not generally acting in that capacity, they conceived might serve their purpose, and prove of a more accommodating character than the Judges of the Province:—and that Mr. D. Mitchell accordingly issued this warrant, which appears, by Mr. M^r. Robb's affidavit, to have been treated with so little ceremony. The reason of its being so treated is stated pretty plainly in a letter from Lord Selkirk to Mr. Gore, the Lieutenant-Governor of Upper Canada; of which the following is an extract:

“ Fort William, November 12, 1816.

“ Sir,

*“ A few days ago a canoe arrived
 “ here bringing two clerks of the North-West
 “ Company, accompanied by a man who gave him-
 “ self out as being a constable charged with the
 “ arrest of several gentlemen here, and myself among
 “ the rest. On examining his warrant, I observed
 “ it to be, in several respects, irregular, and founded
 “ on the recital of an affidavit full of the grossest
 “ perjuries.—It was signed by Dr. Mitchell, of
 “ Drummond's Island, whose notorious habits of
 “ intemperance render it in the highest degree pro-*

“ bable, that his signature had been obtained surreptitiously. The constable, when asked whether he had any letters or credentials of any kind, could produce none, which confirmed the idea of his being an impostor.”—It is therefore not much to be wondered at that his Lordship should state, in continuation, to Governor Gore, that, “ Under these circumstances, I trust it will not be ascribed to any disposition to resist the regular execution of the law, if the gentlemen concerned did not think fit to go five hundred miles across such waters as Lake Superior at this season of the year, in compliance with a form of a process, which there was every reason to believe irregular and surreptitious.”

HAVING thus taken a cursory view of those materials which the Representatives of the North-West Company have introduced into the Appendix of their Narrative, and which, in their preface, they have declared, “ will be found to contain positive proof of almost every fact asserted in the text,” a few observations shall now be submitted, with respect to the Narrative itself.

In perusing their Work, it appears very evident how conscious they are that the unremitting aggression instigated against the Red River Colony, cannot fail to be ascribed to that body which they represent.

For the term *aggression*, however, they wish to substitute that of *retaliation*. As an excuse for the acts which occurred, great pains are taken to convince their readers that these acts were entirely owing to the conduct of Lord Selkirk and his agents. According to their account, the cause of the fatal occurrences which took place is to be found in the *felonious conduct* of Mr. Miles Macdonell, who, as appears by the opinion of their own legal advisers, could not be properly convicted on a charge of *felony*. In their letter, indeed, to the Secretary of State, of 1st February, 1816, they do not venture to allege more against Mr. Miles Macdonell, than that he “acted under a misapprehension of authority;” adding, that “no sufficient proof could be adduced “of a felonious intent.”—The transactions in which that gentleman was concerned have been already, and fairly, narrated* ; but, even had his acts been such as the North-West Company wish to represent them; yet, in no shape, and with no semblance of justice, could they afford an excuse for the measures adopted with regard to the settlers, by the partners of that Company. Their Representatives, however, endeavour to skreen and to exculpate indiscriminately every one of these partners. Even Mr. Duncan Cameron, and Mr. Alexander M'Donell, are defended, by them! The former they describe as “a “man of determined resolution, but, unfortunately, “of an irritable temper†.”—Unfortunately of an

* See page 26 of Statement, and also Appendix, [B.]

† See Narrative, page 32.

irritable temper!—A man who deliberately sat down for ten months in the immediate neighbourhood of the colony, for the sole purpose of corrupting the Settlers, and seducing the contracted servants of the Establishment!* and who, by a cool and systematic perseverance in meanness, falsehood, threats, and bribery, and afterwards by violent and repeated attacks with fire-arms, succeeded in ruining a settlement of his fellow-subjects, who had never given the slightest ground for his malevolence! And yet must these Representatives justify this Constituent! —“ Mr. Cameron is accused,” say they, “ of having “ made use of all the influence he possessed with his

* It was mentioned in the Statement (page 13, &c.) that Mr. D. Cameron, Alexander M'Donell, and others of the North-West Company, in order to exert undue influence over the settlers, had pretended that they held King's commissions, and were vested with authority and command in the interior. This imposture is now admitted by the North-West Company, who, in a note to the Postscript of their Narrative, (page 134), say, “ Mr. Cameron was appointed, by a commission from Sir George Prevost, to the rank of Captain, ‘ in the Indian and conquered “ ‘ countries, during the war;’ but he certainly had no greater “ right to assume that rank in the Red River, than the officers “ of Governor Macdonell's appointment,”—who *did not assume any such rank whatsoever*. These delusive pretensions, however, to authority and importance, are probably all, ere now, dissipated by the following Order of Sir John Sherbrooke:—

“ GENERAL ORDER.

“ *Head Quarters, Quebec, 17th August, 1816.*

“ His Excellency the Governor in Chief and Commander of “ the Forces, is pleased to cancel and annul the Militia and Provincial Rank, in the Indian and conquered countries, conferred

“ countrymen, to persuade them to desert the colony.
 “ *If this be the fact*, whatever may have been *his*
 “ motives, every *humane* person will rejoice that his
 “ influence was successful.” The true meaning of
 which is this, that We, who represent the interests of
 the Canadian Fur Traders, pronounce the colonists
 at Red River to be very unhappy.—It would be kind,

“ by General or Garrison Orders, or by commissions, on the
 “ under-mentioned persons, as well as all others holding rank
 “ under the same authority.”

Lt. Col. W. M'KAY,
 W. M'GILLIVRAY,
 Major A. NORMAN M'LEOD,
 TOUSSAINT POTHIER,
 ALEX. M'KENZIE,
 P. DE ROCHELAVE,
 Captain JAMES HUGHES,

Captain KENNETH M'KENZIE,
 DUNCAN CAMERON,
 JOHN M'GILLIVRAY.
 Lieut. JOHN M'DONALD,
 ALEX. M'DONELL,
 Ensign SERAPHIM LA MAR.

(Signed)

J. HARVEY, Lieut.-Col. D. A. G.''

By a deposition, recently taken at Montreal, of Blondeau, one of the servants of the North-West Company, it appears, that when Mr. D. Cameron and Mr. Alexander M'Donell were setting out from Fort William, in the summer of 1814, to “ commence open hostilities against the enemy in Red River,” the *Engagés, Bois-Brûlés, &c.* were assembled by Mr. Norman M'Leod, the magistrate, and several other of the partners, and an oath was administered to them. By this oath they bound themselves to be faithful to the King, and obey the orders of Mr. Duncan Cameron, who was to command them, as they were told they were to go to war. Blondeau refused to take the oath, in consequence of which, after being struck by Mr. Norman M'Leod, he was deprived of his situation as guide into the interior, and was detained two years at Fort William, away from his family.

therefore, to put an end to their misery.—Let us zealously join in this good work. We may begin with the *fair* means, (alluded to by our partner Mr. Alexander M'Donell;) but if these do not succeed, let us try the *foul*. The *end* being praiseworthy, we need not scruple as to the *means*: and in this our holy crusade against the colony, we may resort to the hatchet of the Grandes Oreilles, to complete that which the humanity of Mr. Cameron may fail to accomplish.—This is all quite consistent with what (in the preface to our Narrative) we have stated of our own “zeal and exertions to promote the true “interests of philanthropy and humanity!”*

Mr. Alexander M'Donell too, is held up in the Narrative, as shewing humanity and consideration towards the settlers! When he was preparing at the Portage des Prairies, two days before Governor Semple and his people were killed, to let loose Cuthbert Grant and his blood-hounds against the settlement, the Narrative asserts, that “they,” (Grant's party,) “received express orders, and were “strictly enjoined to pass at a distance behind Fort “Douglas, Semple's station, and the colony, to “molest no person, and, if possible, to avoid all “observation.”†—And yet, when the messenger returns from Cuthbert Grant, and reports to M'Donell that a number of those colonists, whom he had so strictly enjoined not to be molested, were killed;—on receiving the intelligence, he exclaims, in a burst

* See Preface to Narrative, page vii.

† See page 51 of Narrative.

of philanthropy, “ *Sacré nom de Dieu ! Bonnes nouvelles ! Vingt-deux Anglois de tués !* ”* In the Postscript to their Narrative, the advocates for the North-West Company declare that it is perfectly impossible to believe that these expressions of joy could have been thus made use of.—But, with respect to some of their clients, and those of them whom they thus seem most anxious to defend, there is nothing which it is impossible to believe.—The same person (M^r Donell) had shortly before declared to the Indian Chief in council, that “ if the colonists resisted, the ground should be drenched with their blood.”† And is it less credible that the expressions of joy above-mentioned were actually uttered, than that a *feu de joye* was fired with the guns at Fort William, when the intelligence was brought to that place the year before, that the colony was then destroyed, the colonists dispersed, and their habitations burnt to the ground ? Nor does it appear very obvious why the reader should be expected not to give credit to the joy thus stated to have been felt and expressed by such a man as Mr. Alexander M^r Donell—who, on receiving, not many weeks before, the intelligence (false it is earnestly to be hoped) that a party of the Hudson’s Bay Company’s servants had been starved,—and that, after a number of them had for some time been under the horrible necessity of feeding upon the dead bodies of their comrades, only one survivor had been left to tell the

* See Statement, page 79.

† See Mr. Pambrun’s deposition, Appendix, [V.] p. xxxiv.

tale,—loses no time in communicating by letter to his partner Duncan Cameron, the “Glorious News from Athabasca!”—*.

In endeavouring to avert from themselves the charge of having unjustly instigated the aggressions against the Red River Colony, the North-West Company attempt, not only to raise a strong impression in the public mind, that Lord Selkirk, or his agents, had committed acts of violence sufficient to justify any retaliation; but they even resort, in their Narrative, to occurrences which took place subsequent to the aggression itself, in the hope of thereby withdrawing the reader's attention from the original charge. In order to create a belief, that their own acts have been, all along, just and honourable with regard to the Settlement, they produce numerous documents to prove, that Lord Selkirk, after its destruction, has conducted himself with gross violence and outrage. Among the acts of this description, with which they charge him, are his taking possession, by military force, (as they state it) of their trading post at Fort William; robbing them of all their property in that place; and extending the same system of rapine and plunder to their other stations in the interior.

The reasons which induced Lord Selkirk to go to Fort William, (which lay entirely out of his intended line of route to the Red River) and his proceedings at that place, with respect to apprehending, and

* See page 72 of Statement.

sending off the partners, have been already submitted to the reader * ; and, on that part of the subject, there is nothing asserted in the " Narrative " which calls for the slightest alteration in the Statement. The documents, indeed, which have been since received, and some of which are subjoined to the Appendix, only tend fully to corroborate and confirm what was so narrated.

In order to verify the account given in their " Narrative " of the proceedings at Fort William, the Representatives of the North-West Company produce, in their Appendix, the depositions (No. 21 and 22) of M'Robb and Cowie, two of their clerks, and also the statement (No. 20) of Lieutenants Brumby and Misani, which was already alluded to. In refutation of the inferences, intended to be drawn from these materials, the reader's attention is particularly requested to the three documents now added to the Appendix, namely, the account given of these proceedings by Mr. Fauche (late Lieutenant in the same regiment with Messrs. Brumby and Misani) and who is now in England ; the narrative drawn up and signed by Mr. M'Nabb, who was employed as the principal constable, in executing the warrants at Fort William ; and the deposition of Alexander Fraser recently taken at Montreal†.

" Military possession," says the Narrative (page 69), " was then taken of the Fort, as is particularly " described in the deposition of Lieutenants Brumby

* See page 61, &c. of Statement.

† See Appendix, [K. K.] [L. L.] and [M. M.]

“ and Misani, given in the Appendix, No. 20 ;” and, upon this passage, the Representatives of the Company have subjoined the following note, with respect to which, it is requisite that the reader should be undeceived :—

“ Lieutenants Brumby and Misani, whose deposition is
 “ above referred to, are officers of the late Regiment De
 “ Meuron, who obtained leave of absence from General Sir
 “ Gordon Drummond, at the request of the North-West
 “ Company, in order to enable them to visit the Indian Coun-
 “ try. This was partly intended to counteract the impres-
 “ sion which might be made on the Indians by seeing Lord
 “ Selkirk’s body guard, and military force ; but chiefly in
 “ order to enable these gentlemen to see the real state of the
 “ country, and to give an impartial report of such occur-
 “ rences as they might witness. Their testimony, therefore,
 “ relative to the military outrages committed at Fort William,
 “ is entitled to particular attention as coming from military
 “ men, totally unconnected with either of the parties.”

Little did these two unwary Officers suspect, that when Sir Gordon Drummond gave them leave of absence from their regiment, at the request of the North-West Company, “ in order,” as their Representatives say, “ to enable them to see the real state
 “ of the country, and to give an impartial report of
 “ such occurrences as they might witness,”—little did they suspect that the Company were merely making convenient tools of them, to serve their own secret and unwarrantable purposes.

“ You will not hesitate,” says Mr. Norman M’Leod in his letter directing his partner at the Fond du Lac, to collect the Indians for the purpose of immediately proceeding against

the Red River Settlement*. "You will not hesitate to explain to the Indians the purpose for which we want them to meet us; possibly, and most probably, their appearance may suffice,—but, in any case, they shall be well and fully recompensed for their trouble. You, who know the Indian character so well, make use of that experience to collect as many as you can in a short time, from fifteen to twenty upwards, to one hundred. You will explain to the Chief that we have King's Officers, and a few soldiers along with us, so that there is not the least doubt of the justice of our cause."

These King's Officers were Lieutenants Brumby and Misani: and how far "the few soldiers along with us" were employed to promote the "*Justice* of our cause," the reader will be better enabled to judge, if he peruses the following account of an atrocious murder committed by one of them, under the express directions of a partner of the North-West Company, in the course of this their expedition into the interior.

Charles De Reinhard, a serjeant in the De Meuron Regiment, having received his discharge from Sir Gordon Drummond, was recommended by Lieutenant Misani, the commanding officer of his company, to Mr. W. M'Gillivray and Mr. Norman M'Leod, as a clerk for the North-West Company's service. In that capacity he, together with another serjeant of the name of Heurtre, (who had also obtained his discharge) accompanied Lieutenants Brumby and Misani, with Mr. Norman M'Leod, from Montreal

* See page 100 of Statement.

into the interior. When they arrived at Lac la Pluie, in their way to the Red River, Lieutenant Misani told Reinhard that Mr. M'Leod wished Heurtre and him to put on their regimentals (which they had been requested to bring with them from Montreal) in order to appear at a council of Indians, where Lieutenants Brumby and Misani were introduced as captains, and Serjeants Reinhard and Heurtre as persons in the King's service.—In the speech made to the Indians at this council, Mr. M'Leod directed the interpreter to say that government had sent these officers for the sake of Justice*. The party afterwards proceeded, with some of these Lac la Pluie Indians, to the Red River, where they met the colonists a few days after those transactions at the settlement had occurred, which have been already narrated.

Having remained a very short time at the Red River, Lieutenants Misani and Brumby, with Mr. Hughes, one of the Company's partners, returned to Fort William, to report to Mr. W. M'Gillivray the occurrences which had taken place.—Reinhard, however, was sent, as one of the North-West Company's clerks, to Bas de la Rivière Winipic, a station belonging to the Company, where he was directed by Mr. Archibald M'Lellan, the partner who had charge of it, to put the fort, or trading-post, at that place, into a state of defence.

About the beginning of August there arrived, at

* See also the deposition of Sayer the Interpreter, Appendix, [E. E.] page lxxv.

that post, some servants of the Hudson's Bay Company, who had deserted from Mr. Owen Keveney, a gentlemen in that Company's service, then on his way, from Albany Factory in Hudson's Bay, to the Red River Settlement.. These deserters complained to Mr. Norman M'Leod, that Mr. Keveney had treated them very ill, upon which the ready magistrate, under the Canada Jurisdiction Act, immediately issued his warrant, and appointed Serjeant Reinhard to act as constable for the purpose of apprehending Mr. Keveney. Reinhard accordingly proceeded with six Bois-Brulés, whom Mr. M'Lellan had directed to accompany him, and having seized Mr. Keveney, they brought him to Bas de la Rivière. From that place he was sent off in a canoe, for the purpose of being taken to Fort William, under the charge of these Bois-Brulés, by whom, during the route, he was bound and handcuffed.

On their way towards Fort William, they were met by Mr. Alexander M'Donell, the North-West Company's partner, who took away the Bois-Brulés, and put, in their place, two Canadians named Faye and La Pointe, together with an Indian, who was to serve as a guide for the purpose of conducting the prisoner to Lac la Pluie. Some days afterwards, however, they met Messrs. Stuart and Thompson, also of the North-West Company, who ordered them to return. They accordingly did so, but could not keep pace with Mr. Stuart's canoe. The two Canadians soon after, quarrelled with the Indian, and they separated.—The Canadians, not knowing their way, landed Mr. Keveney upon a small island where they left him.

A considerable period having subsequently elapsed without any account being received at Bas de la Rivière (by Mr. M'Lellan, the partner at that station), of Mr. Keveney and those who were with him, it was concluded that the Indian had murdered him, or that the two Canadians had lost their way, or that they were all drowned.—At length Mr. M'Lellan, Cuthbert Grant, Cadot, Reinhard, and some Bois-Brulés, set off in a canoe with the intention of going to Lac la Pluie, for the purpose of obtaining intelligence relative to the apprehension of the partners at Fort William, (of which they had then received information), and also to discover what had become of Mr. Keveney.

After travelling about four days they found the Indian, and shortly afterwards the two Canadians, Faye and La Pointe.—These three persons Mr. M'Lellan took with him, and again set out in search of Keveney. They found him in an encampment of Indians, and he was a second time apprehended. Mr. M'Lellan having procured from these Indians a small canoe, he directed Serjeant Reinhard to embark in it with the prisoner, the Indian, and a Bois-Brulé named Mainville. M'Lellan then said to Reinhard, “ Make the prisoner believe that he is going to Lac
“ la Pluie.—He must not be put to death here
“ among the Indians.—We will go on further, and
“ wait for you; and when you find a favourable spot,
“ you know what you have to do.”—(*Vous savez ce que vous avez à faire.*)

Mr. M'Lellan having thus issued his secret orders

to Reinhard, set out in his own canoe, leaving on shore Mr. Keveney, Reinhard, the Indian, and Mainville the Bois-Brulé. In less than an hour they embarked to follow him.—Having proceeded about a quarter of a league, Mr. Keveney expressed a wish to be set on shore for a short time; and on his being landed, Reinhard said to Mainville, that, as they were now far enough from the Indians, he might shoot the prisoner. Upon Mr. Keveney's returning to the beach to re-embark, and being close to the canoe, Mainville levelled his piece, and shot him through the neck. Keveney fell forward upon the canoe, when Reinhard seeing he was not dead, and that he wanted to speak, drew his sword, and plunging it twice into his back, run him through the body, and put an end to his misery.

Having stripped the body they left it in the adjoining woods, and proceeded in their canoe to join their master, Mr. M'Lellan, who, seeing them approach, sent Cuthbert Grant and Cadot to inquire if Mr. Keveney was killed. Reinhard answered, that he was. Upon this they directed him to say that he was not killed. Reinhard again told them that he was killed, and that he would not conceal it, as it was done by his (Mr. M'Lellan's) orders.

He then joined M'Lellan and the rest of the party, and detailed to them what had happened. A distribution of the bloody clothes of Keveney, and of his other effects, was then made; and M'Lellan having opened the boxes and writing-desk of the unfortunate man whom he had thus ordered to be murdered, he

spent a great part of the night, in reading and burning the letters and papers which they contained. —Next morning he continued his examination of the remaining papers in his canoe, sinking them after he had perused them:—and, upon finishing this employment, he told the Bois-Brulés that it was very fortunate they had prevented Keveney from getting to Fort William, where he might have ruined them all.

Such are the proceedings which are carried on in the interior of British North America, for the purpose of supporting the “justice of our cause;” and such the Constituents abroad who furnish to their Representatives in England, the raw materials for the subsequent fabrication of their Memorials to His Majesty’s Government, and their “faithful Narratives” to the Public!

The circumstances of this infamous story were only vaguely reported at Fort William some weeks after Lord Selkirk arrived at that place;—but he knew enough of the wintering partners of the North-West Company, to be satisfied that the murder, which was thus rumoured, had been actually committed, and at the instigation of at least one of the Company’s partners. He, therefore, requested Captain D’Orsonnens (one of the gentlemen who had accompanied him from Montreal in his intended journey to the Red River) to obtain every information he could procure at Lac la Pluie; in consequence of which the two Canadians Faye and La Pointe, who were with Mr. McLellan at the time, have given their depositions

upon oath as to the transaction; and Reinhard himself has made a full confession and declaration of the murder. These three documents are subjoined in the Appendix*.

Among the materials inserted in the "Narrative of Occurrences," for the purpose of throwing odium upon the proceedings of the Earl of Selkirk at Fort William, appears, in a most conspicuous position, the "Journal of Mr. Jasper Vandersluys."—Mr. Vandersluys is a Dutch Book-keeper of the North-West Company; and, if his Books are kept with no greater accuracy than his "Journal," the Company may have again to present a humble memorial to his Majesty's Secretary of State, lamenting that their trade is still conducted "to their serious inconvenience and disadvantage." As, however, their Representatives, in introducing Mr. Vandersluys to the reader, bespeak his favour by assuring him that he is "a very respectable person;" and as they describe his Journal itself as "a simple and correct detail of the most extraordinary outrage which was ever committed against the Laws of a civilized Country," it may be advisable to look a little into the contents of this Dutchman's diary,—a composition which has been deemed too important to be thrown into the Appendix of their Narrative, but is permitted to occupy upwards of thirty pages of small print in the body of the Work itself.

* See Appendix, ~~[The B. J. [The B. J.] and [G. G.]~~

The Journal comprises about the period of a fortnight, from the 12th to the 28th of August, during which time Mr. Vander'sluys appears, by his own statement, to have been wofully harrassed and tormented by the Earl of Selkirk. He had been left in charge (as the Narrative states) of the Company's affairs, when the partners who had been apprehended were sent off from Fort William; and great pains are taken, throughout the Journal, to make it be credited that, in the performance of his important duties, he met, from Lord Selkirk, and the gentlemen who accompanied him, with every degree of violence and obstruction. Notwithstanding his hurry and fatigue, however, it would appear (from the Journal at least) that he had leisure enough to sit down coolly and deliberately every day, for the purpose of composing his long story;—carefully noting down, at full length, the events in their regular and daily course, and minuting in his diary all occurrences in due order and arrangement.—The object of this is very evident. Those who represent the North-West Company lay before their readers this Journal as an accurate statement, made at the moment when the events described in it are said to have occurred, and as being narrated by a person who was actually on the spot, and an eye-witness of what took place.—It is therefore expected by them, that the public should look upon it as a document of incontrovertible authenticity. To make it be believed that this “simple and correct detail,” as they term it, was actually written at the time, such passages as the following are scattered, with no sparing hand, throughout

the Journal of Mr. Jasper Vandersluys: "Between ten and eleven this morning, the Earl of Selkirk," &c.—"This morning past very quietly," &c.—"This morning Mr. M'Gillivray," &c.—"This morning the captain of the guard," &c.—"We this afternoon addressed the following letter to the Earl," &c.—"At about ten o'clock last night his Lordship," &c.—"Nothing further remarkable occurred this day," &c.—"This day has been a very busy one," &c.—"The Earl's plans cannot now be a secret any longer," &c.—"At length the Earl's projects and views, so long disguised, begin to discover themselves," &c.—"I have just this moment returned," &c.—"While writing this, I receive information," &c. &c. &c.—This is all very well, and the purpose obvious.—But why did this "simple" journalist permit such a passage as the following to creep into his diary?—On the 17th of August, "they seized," says the journal, "some papers of no value, and sealed them; but I must not omit to mention, that this bundle contains a *Deposition of one Nolin, clerk to the Hudson's Bay Company, written and signed by himself, in which, amongst other things, he declares, that at the late action at Red River, the colonists, headed by Mr. Semple, were the aggressors and first assailants.*"—How came this "*deposition of one Nolin*" to be so anxiously adverted to? Did Mr. Jasper Vandersluys suspect that there was danger of evidence being collected, which might probably throw light upon the occurrences at Red River? Did he begin to conjecture, with the principal Agent of the Company,

that "the story might be reported in a thousand ways;—that Mr. Norman M'Leod, and Mr. A. and Mr. B. of the North-West Company, with "Brulés," &c. &c. had destroyed the colony? and did he hope that this part of his journal might tend to arrest the story in its progress*?—Do the Representatives of the Company also entertain a similar expectation by the question which they put, in the Postscript to their Narrative, on the same subject? "What has become of the *deposition of Nolin*, "mentioned in *Mr. Vandersluys's journal*? And "why has it been *suppressed*, and the present one," (namely, that taken before Lord Selkirk, and which appears in Appendix, [X.]) "substituted in its "place?" The answer to which is, that as none else was received, (than that sworn to before Lord Selkirk,) there neither could be substitution, nor suppression.—It is very obvious, indeed, that the marked allusion, in the Journal, to the "*deposition of one "Nolin*," and the question arising upon it in the Postscript to the Narrative, are intended to weaken or counteract the effect of Nolin's affidavit taken by Lord Selkirk.—But the reader will observe, that this latter deposition was not taken till the 21st of August, four days *after* the date of that part of Vandersluys's Journal, which has been so evidently contrived for the purpose of counteracting it;—or, in other words, that Mr. Vandersluys, on the *seventeenth* of August, attempts to obviate the effect of an affidavit which was not taken till the *twenty-*

* See Statement, page 110.

first of the same month! If Nolin made any other deposition, (of which no proof is adduced except Vandersluys's Journal) it must have been sent off, among the other documents which were transmitted from Fort William, without examination, (after having been sealed up by a person in behalf of the Earl of Selkirk, and another in behalf of the North-West Company) and subsequently delivered to the Attorney General of Lower Canada, into whose custody they were deposited in that state, for the purpose of being made such use of as his official duty might point out*.

Throughout every part, indeed, of the composition of this Journal are to be found marks of fraud.—In grasping at too much, it has obtained nothing. If the separate and daily portions of it be inspected with any degree of attention, they will appear evidently to have been fabricated long subsequent to the periods in which they are respectively dated;—in short, it is obvious that Mr. Vandersluys's log book was not begun till after his voyage was completed.—Can it be believed, for instance, that when Mr. McGillivray, the principal Agent of the North-West Company in Canada, and seven of his partners wished to prepare a formal Protest against Lord Selkirk's proceedings at Fort William, they should have re-

* By Nolin's deposition, in Appendix, [X.] it is evident that he could not, from personal observation, know who were the first assailants in the affair of the 19th of June, as he was not within almost a league of the spot, and had even sent a person to ascertain and report to him what was going on.

sorted to their foreign book-keeper, Mr. Vandersluys, (who, it is well known in Canada, scarcely understands the English language) to draw it up for them! "This morning Mr. M'Gillivray desired me to draw up a protest against the acts of violence committed yesterday. I had only a quarter of an hour to do it in, and worded it briefly in the following terms."—This manifesto is accordingly produced, to which the eight partners then at Fort William, have affixed their names.—Of the assertions contained in it, one deserves to be noticed. Those men who had belonged to the De Meuron Regiment, about twenty-five in number, whose assistance was called in by the constable to enforce the arrest of the partners at Fort William, who had resisted the warrants*, are termed "between fifty and sixty disbanded and intoxicated soldiers."—This assertion is repeated throughout various parts of the Journal. "The Fort was now left in disorder, and at the discretion of the intoxicated soldiery†." And again "Captain D'Orsonnens, the leader of these disbanded, intoxicated, and almost

* See page 66 of Statement.

† Neither of the two clerks of the North-West Company who have made the affidavits numbered (in the Appendix to the Narrative) 21 and 22, and whose statements are produced as evidence of the outrages at Fort William, have said, that a single man of the party, that went to that place, was in the slightest degree intoxicated. Nor do Lieutenants Brumby and Misani mention one word of it; and *their* testimony "relative to the military outrages committed at Fort William, is entitled to particular attention, as coming from military men totally unconnected with either party." See "Narrative," page 69.

“ uncontrolled soldiers, cried out ‘ *aux armes, aux*
 “ *armes,*’ and immediately the bugle was sounded,
 “ and an armed force of about sixty in number with
 “ loaded muskets, and fixed bayonets, rushed forc-
 “ bly into the Fort, shouting, cursing, and swear-
 “ ing, and threatening death and destruction to all
 “ persons and all property. The soldiery were
 “ strongly countenanced in this by their officers,
 “ amongst whom the most conspicuous was the
 “ aforesaid Captain D’Orsonnens, next Captain
 “ Mathey, Lieutenant Rauche, Lieutenant Graffen-
 “ reith, and several more.”

With respect to these alleged acts of daily violence, the best contradiction to Mr. Vandersluys, is Mr. Vandersluys himself ; for there is nothing which he asserts, however bold, in one part of his diary, but what is overmatched by his own counter-assertions in another. Who could suppose that, after all these horrible alarms which pervade his Journal, of
 “ soldiers who appear to be thirsting for an oppor-
 “ tunity to gratify their wishes for tumult and
 “ bloodshed”—and of “ acts which would make a
 “ French *Douanier* blush, and all this authorised,
 “ instigated, and ordered by a man vested with the
 “ dignity of a magistrate,”—that, notwithstanding this, we should find Mr. Vandersluys, on the 28th of August, the day when he left Fort William for Montreal, stating that “ I told him
 “ (Lord Selkirk) that no agreement or conven-
 “ tion could be made whilst he laid down as a prin-
 “ ciple the retention of a *pledge*, or *indemnifica-*
 “ *tion* ; but that, as I was aware he was in distress

“ for many articles, I was willing to consult with
 “ M'Tavish on the subject, and perhaps let him
 “ have a certain quantity of goods, by way of oblig-
 “ ing him,” &c.—So, after all, it turns out that
 Lord Selkirk, in full command at Fort William,
 “ backed by a ferocious band of lawless soldiery,
 “ with arms and artillery”—and, “ committing acts
 “ which would make a French Douanier blush,”
 civilly asks the Book-keeper of the North-West Com-
 pany to accommodate him with those articles in the
 Fort, for want of which Mr. Vandersluys admits that
 he knew his Lordship was in distress!—And yet this
 “ very respectable person” does not hesitate to assert,
 “ I cannot help remarking here, that at the time of
 “ the French invasion of my own country,” (Hol-
 land,) “ I witnessed much injustice, and a defiance of
 “ law and morality, with all the evils accruing to a
 “ country over-run by a debauched and ferocious
 “ military horde, yet I saw no injustice so glaring
 “ as what was committed by the Earl of Selkirk and
 “ his agents here!”

But the day on which the feelings of Mr.
 Vandersluys appear to have been wound up to the
 highest pitch, was the 18th of August, when his
 diary assumes more the stamp of the German, than of
 the Dutch school. When Mr. M'Gillivray, and his
 partners, in consequence of the warrants of commit-
 ment, were that day embarking in their canoes, to
 proceed from Fort William, and when their Canadian
voyageurs, Iroquois canoemen, and Bois-Brulés,
 were collected by curiosity on the beach,—“ All our
 “ brave and faithful men,” says Mr. Vandersluys,

“ who were spectators of their departure, were silent
 “ as the grave! not from awe of Lord Selkirk’s over-
 “ whelming power, or his military precautions and
 “ martial law, but from the natural feelings of their
 “ hearts; from the unaltered respect they bore for
 “ their masters, and from the remembrance of their
 “ kindness. Some of these faithful men were not
 “ able to conceal their tears, and I saw, what perhaps
 “ few have ever seen,—I saw *an Indian weep!*”—
 The name of this Indian is not recorded;—probably
 one of the Grandes Oreilles family:—“ Traders, my
 “ children, when I first heard of the troubles you
 “ were in at this place, my heart became sorry, and
 “ the tears ran down my cheeks!”—But the reader
 has, without doubt, by this time, seen enough of the
 “ Journal of Mr. Jasper Vandersluys,”—a sort of
 spurious offspring, which the partners of the North-
 West Company seem more inclined to lay at the door
 of their foreign book-keeper, than to father them-
 selves.

On the subject of the reduced soldiers of the De
 Meuron and Watteville Regiments, who accompanied
 Lord Selkirk, with the intention of settling upon his
 lands at the Red River, instead of taking the allot-
 ments to which they were entitled in Canada, the
 Representatives of the North-West Company have
 not scrupled to suffer the following passage to be
 published in their Narrative of Occurrences:—

“ That he” (Lord Selkirk) “ might have means suffi-
 “ cient for his purpose, in addition to about one hundred
 “ and eighty” (about *one hundred and thirty*) “ canoe-men,

“ he engaged about one hundred and fifty” (about *an hundred, viz.* eighty of the De Meuron, and twenty of the Watteville Regiments, which had been reduced), “ foreign soldiers, with two captains and two subalterns of the Regiment De Meuron, a set of men whose conduct afterwards sufficiently justified the apprehensions entertained of them. They had been engaged in different services in Europe and Asia, and were partly formed by deserters from Buonaparte’s armies in Spain. From that country they were sent to America, where the regiment was just disbanded, and were fit instruments for the scenes of pillage and plunder in which they were subsequently engaged*.”

The best answer to such malevolent and slanderous aspersions, will be found in the following Garrison Orders, which the Reader will rejoice to have laid before him.

“ GARRISON ORDER. “ *Malta, 4th May, 1813.*

“ Lieutenant-General Oakes cannot suffer the Regiment De Meuron to quit this Garrison, where they have so long been stationed under his command, without assuring them of the satisfaction which their good conduct, and attention to military discipline, have constantly afforded

* “ Narrative,” page 62.—See also the statement of Lieutenant Fauche, (Appendix, [K. K.]) by which it appears, “ that in 1809, when the Regiment De Meuron was at Gibraltar, His Majesty’s Government authorised that all the Germans and Piemontese, whom the conscription had forced to enter Buonaparte’s armies, from which they escaped as soon as an opportunity offered, should be enlisted in His Majesty’s service; in consequence of which many came over and received the regular bounty.”—This is termed by the Representatives of the North-West Company, *desertion!*

“ him; and which have been equally conspicuous in every
 “ rank. They will embark from hence, as fine and well-
 “ appointed a regiment, as any in His Majesty’s service.

“ The Lieutenant-General has no doubt but by their
 “ conduct and gallantry, on the desirable service on which
 “ they are about to be employed, they will confirm the
 “ high opinion he has formed of them, and will equally
 “ merit the praise and approbation of the General under
 “ whose orders they will soon be placed, to whom he shall
 “ not fail justly to set forth their merits.

“ He begs leave to assure this regiment of his warmest
 “ wishes for their glory and success, and of the sincere
 “ interest he shall ever take in their welfare.”

(Signed) P. ANDERSON, D. A. G.

The Regiment De Meuron embarked at Malta for North America, and after the peace, it, and the Watteville Corps, were reduced last year in Canada, upon which occasion Sir John Sherbrooke, the Governor-in-Chief, issued the following Garrison Order, which, as well as that of Sir Hildebrand Oakes, above cited, would do honour to any corps in His Majesty’s service.

“ GARRISON ORDER. *Quebec, 26th July, 1816.*

“ IN parting with the Regiments De Meuron and Watteville, both of which corps His Excellency had the good fortune of having had under his command in other parts of the world, Sir John Sherbrooke desires Lieutenant-Colonel De Meuron, and Lieutenant-Colonel May, and the officers and men of those corps, will accept his congratulations on having, by their excellent conduct in the Canadas, maintained the reputation which they have deservedly acquired by their former services.

“ His Excellency can have no hesitation in saying, that
 “ His Majesty’s service in these provinces has derived im-
 “ portant advantages during the late war, from the steady-
 “ ness, discipline, and efficiency of these corps.

(Signed)

“ J. HARVEY, Lt.-Col.

“ Deputy-Adjutant-General.”

Such are the marks of approbation officially recorded by General officers who had the best means of appreciating the merit of regiments which had been long and honourably employed in His Majesty’s service ; and which the Agents of the Canadian Fur Traders now wish to hold up to the public as “ *fit instruments for scenes of pillage and plunder !*”

These scenes of “ pillage and plunder” are, perhaps, what Vandersluys’s Journal particularly adverts to, (on the 14th of August, the day after the partners were apprehended) when it states that “ Lord Selkirk and his party were very busy about the Fort, and carried off about eighty guns belonging to the North-West Company.” And, in the same item of his diary, he adds, that a new warrant had been issued “ to seize all arms, under the frivolous pretext that information had been given that a quantity of papers had been burnt the night before, and a number of arms concealed.” The pretext, however, does not appear to have been quite so *frivolous* as the Journalist wishes it to be believed. The reader may recollect, that after Lord Selkirk had arrested the partners, on the 13th of August, he permitted them to go back to their apartments in Fort William, having pledged to him their

word of honour, that no further attempt should be made to obstruct the execution of the law, and that all measures of resistance or hostility should cease. It was also stated, that information was brought to him early next morning (the 14th) that the seals had been broken from several of the places which had been sealed the evening before; that many papers had been burnt in the course of the night; that several barrels of gunpowder had been rolled out of the Fort; and that about fifty or sixty stand of fire arms, to all appearance fresh loaded and primed, had been found secreted near the building*. The circumstances, thus mentioned in the Statement, have been since corroborated by documents, some of which are now added to the Appendix:—The reader is particularly requested to turn his attention to the account given by Mr. Fauche, who was at Fort William at the time; and also to the narrative of M'Nabb, and the deposition of Alexander Fraser, both of whom were likewise upon the spot. From these documents it will probably be suspected, and upon no slight grounds, that instead of the “frivolous pre-text,” stated in Vandersluys’s Journal, as having been assigned for seizing the arms belonging to the North-West Company, an attempt was actually projected, at that place, to massacre Lord Selkirk and the whole of his party†.

The following passage of the “Narrative,” being

* See Statement, page 67.

† See Appendix, [K. K.] [L. L.] [M. M.]

connected with the proceedings of Lord Selkirk at Fort William, deserves to be noticed :—

“ This simple and correct detail” (meaning Vandersluys’s Journal,) “ of the most extraordinary outrage which was
 “ ever committed against the laws of a civilized country,
 “ by a person of the rank of Lord Selkirk, will in itself
 “ create sufficient astonishment; but it is impossible not to
 “ advert to other circumstances connected with it, which
 “ still more aggravate the enormity of the transaction.

“ The persons arrested, after being treated with studied
 “ indignity and insult, were embarked as prisoners, under
 “ a guard of foreign soldiers, in their own canoes, manned
 “ with their own servants, but not prepared in the usual
 “ manner for the accommodation of passengers : others, fit
 “ for their conveyance, had been got ready by their clerks,
 “ in which they were not allowed to embark ; and those
 “ selected, were so overloaded, as to place the passengers in
 “ imminent danger of their lives. There were above fifty
 “ canoes in the fort, from which a sufficient number might
 “ easily have been appropriated for the *safe* conveyance of
 “ the prisoners, had Lord Selkirk considered their safety of
 “ the most trifling importance. One canoe, in which three
 “ prisoners, Kenneth Mackenzie, Allan Macdonell, and
 “ John M’Laughlin, were embarked, was considerably
 “ under the usual size, and could not carry with safety
 “ more than fifteen persons, with their baggage and provi-
 “ sions; yet entirely disregarding the representations and
 “ remonstrances made of the danger to be apprehended, his
 “ Lordship ordered twenty-one persons to be embarked in
 “ it, and, as had been predicted, in the passage on the lake
 “ the canoe filled, and upset, *in consequence of being so*
 “ *overloaded*; Mr. Mackenzie, and eight other persons,
 “ were drowned, and the survivors narrowly escaped with
 “ their lives*.”

* See “ Narrative.” page 102.

To the charge thus brought against the Earl of Selkirk (a charge which insinuates no less than a wish, on his part, to sink the whole brigade of canoes, —friends and foes,—constables and prisoners!) they have added a note, which is not unworthy of the passage in the text to which it is subjoined. “How far the Earl of Selkirk,” say they, “is legally responsible for death thus happening in the prosecution of an unwarrantable act, and while an innocent man was under conveyance, by his orders, in a state of unlawful imprisonment, may perhaps be doubtful; but it cannot be doubted, that a heavy *moral* responsibility attaches to his Lordship in this transaction!”—The Representatives of the Company, having composed their *Fable*, they could not do less than follow the good old custom, and add the *Moral*;—but the Reader will probably wish to know the facts of the case, and to hear what some of those survivors, who narrowly escaped with their lives when the accident happened, have said on the subject.

“I, J. Baptiste Chevalier de Lorimier, captain of the Indian Department, certify, that on the 26th of August, 1816, having arrived at Isle au Parisien, Mr. M’Gillivray made the brigade of three canoes set out during a great storm, contrary to the opinion of the rest of the party, and of the two guides. When we got about half way across the passage, Mr. M’Gillivray still persisting to make for the Cape, I took it upon myself to steer for Isle aux Erables. The two other canoes then followed me, in order to gain the bay, but, before we could reach the shore, our’s unfortunately sunk, when several were drowned.

“ I further certify, that upon our getting ashore, and
 “ Mr. M’Gillivray having come to condole with us, I
 “ reproached him with being the sole cause of what had
 “ happened. All the other gentlemen of the party, as also
 “ the canoe-men, then came and shook hands with me,
 “ declaring that I was the means of having saved the rest
 “ of the brigade, and that, if I had not persisted in making
 “ for the land, we must all have perished*.”

Mr. Fauche, late of the De Meuron Regiment, whom the Earl of Selkirk had requested to take charge of, and accompany the prisoners to York in Upper Canada, has also detailed the circumstances which occurred with regard to this unfortunate accident. *He* also, it would appear, has been accused of “ entirely disregarding the representations and remon-

* Moi, J. Baptiste Chevalier de Lorimier, Capt. Ind. Département, certifie que le 26 d’Août, 1816, étant arrivé à l’Isle au Parisien, Mr. M’Gillivré fit partir, dans une grande tempête, la brigade de trois canôts, malgré moi et malgré les autres messieurs qui étoient de cette brigade, et malgré les deux guides, pour entreprendre une traversée d’une étendue considérable. Je certifie de plus, qu’étant à peu près au milieu de cette malheureuse traversée, Mr. M’Gillivré s’obstinant à se rendre au Cap, je pris sur moi de gagner l’Isle aux Erables, qui se trouve dans le baye ; aussitôt les deux autres canôts se mirent à me suivre pour gagner aussi la baye ; mais malheureusement le canôt où nous étions engloutit avant d’arriver à terre. Plusieurs d’entre nous se sont sauvés, les autres ont malheureusement péri.

Je certifie encore que, lorsque nous avons été rendus à terre, Mr. M’Gillivré étant venu nous plaindre, je lui reprochai que cet accident n’étoit arrivé que par sa faute. Alors tous les messieurs de la brigade, ainsi que tous les engagés, vinrent me donner la main, disant hautement que j’étois la cause que le reste de la brigade s’étoit sauvé, et que si je n’eusse pas persisté à gagner terre, nous aurions tous péri.

J. B^{TE} CHR. DE LORIMIER,
 Capt, Ind. Départ.

“strangers made of the danger to be apprehended,” &c.—in short, of being totally indifferent to the safety of a party of which he himself formed one!—Mr. Fauche had the charge, at Fort William, of getting the canoes prepared for their voyage. The three that were chosen for that purpose, were from among those in which the partners of the North-West Company usually travelled.—The crews were regular Indian canoemen in the Company’s service. Is it to be believed that Mr. Fauche, Captain De Lorimier, the two skilful Indian guides who were with them, and the experienced old Indian chief, who was to have accompanied Lord Selkirk to the Red River, (and who was one of those who were drowned,) or indeed that any of the party would have embarked on such a voyage, in canoes, unsafe, ill-equipped, or “*overloaded*?”—Prior to the unfortunate accident the party were upwards of a week in their voyage upon Lake Superior, but no apprehensions whatever were entertained as to the “safe conveyance” of the canoes; and, after the loss of the canoe which upset, several of the persons who escaped were next day distributed in the two remaining ones, which it is absurd to suppose would have been done, had these canoes been already overloaded. There was no necessity for such a distribution, as there were Indians with canoes on the island where the party took shelter, and by whom some of them were forwarded to the Sault St. Mary.—It may also be observed that in the canoe that was lost, there were three of the discharged soldiers of the De Meuron

Regiment, who were to return to the Earl of Selkirk. Two of these, a serjeant and a private, were unfortunately drowned.

Mr. Fauche has also declared that although he had the charge, or command of the canoes, he always consulted Mr. M'Gillivray as to the arrangements of setting out, &c. &c.—This he was induced to do from the great experience which that gentleman possessed in the navigation of the Lakes, and he (Mr. Fauche) positively states that the day the accident occurred, he particularly asked Mr. M'Gillivray if he thought it safe to proceed, from the Isle au Parisien, and that Mr. M'Gillivray advised him to set out*.—Such is the “*enormity of the transaction*,” which has been charged against the Earl of Selkirk by the Representatives of the North-West Company, who, although they gravely express a doubt as to his Lordship being legally indictable for the murder of the unfortunate men who were drowned, yet appear to entertain none at all, as to his *moral* guilt and responsibility!

In concluding the Observations which have been submitted to the Reader with respect to the “*Narrative of Occurrences*,” &c. it may be remarked how closely the advocates for the North-West Company follow the footsteps of their Canadian corres-

* See Appendix, [K. N.]

pendents on the subject of the unfortunate fate of Governor Semple and his associates*. The *Indians* must still be held up to the public as the principal, if not the sole actors in that horrible scene. In every page,—in almost every sentence, of that part of their Narrative, these *Indians* are conspicuously placed before the reader, for the purpose of persuading him that the result, so deeply to be lamented, arose from Indian hostility.—“About fifty Indians and Half-breeds” we find dispatched with an escort of provisions by way of “*an experiment!*”—“The Indians and Half-breeds supposing themselves undiscovered.”—“The fact of the Indians having actually passed that establishment.”—“The facts, not even denied by the opposite party, that they marched out and followed the Indians.”—“The Indians and Half-breeds were all on horseback.”—“The Indians rushing in, Mr. Semple, and about twenty of his people, lost their lives.”—“The Indians and Half-breeds fortunately did not carry their resentment beyond the persons actually engaged in the affray.”—“After this melancholy affair, the colonists complied willingly with the terms prescribed by the Indians,” &c. &c. Who were those Indians? To what tribes did they belong? Were they Crees, Sautoux, Scioux, Assinaboins, or their own Iroquois from Montreal? All the persons who were actively engaged on the 19th of June under Cuthbert Grant (the Company’s Clerk) must be known, because they

* See Statement, page 104.

were subsequently remunerated for their services; some at Red River, and some afterwards at Fort William. But how does it happen that their own servant, Firmin Boucher, mentions nothing about *Indians* being present? Boucher is a Canadian, in the regular service of the North-West Company, and who, they now admit, "*happened to be with them,*" although they publicly circulated, and officially communicated to His Majesty's Government, the positive assertion, that not one of their people had been within an hundred miles of the spot*! The evidence of Boucher can scarcely be disputed by the Company; because "These particulars," they say, (meaning the affair of the 19th of June,) "are taken from the testimony of Boucher—who was carried down to Montreal, and other persons present in the affray. It has not been deemed advisable, pending the legal proceedings which the case must give rise to, to publish the evidence of parties who may be implicated†."—That is to say, the Representatives of the North-West Company will state to the public what particulars they choose, and publish what they think fit:—they will not scruple to tell their own story from Boucher's testimony, or from any other testimony; but they beg leave to decline producing his, or any other evidence, upon which that story is stated to be grounded. With regard to the testimony of Boucher, the advo-

* See Statement, page 108.

† See note in page 53 of "Narrative."

cates for the Company must have either supposed it to be true, or false. If false, the story they have founded upon it cannot be true; and if his evidence be true, why do they not adhere to it? Boucher mentions only *Bois-Brûlés* as being actively engaged on the 19th of June, stating the party in all to be about sixty-four; but the Narrative rates them at a much lower number, and takes much pains to impress upon the mind of the Reader that the party was composed chiefly, if not solely, of *Indians*.—In order to enable the Reader to judge of this boasted testimony of Boucher, his Declaration (certainly not a very distinct document) is inserted in the Appendix*.

It does not appear necessary to make any further Observations upon this “faithful Narrative of Occurrences.”—If the Documents which have been now submitted to the Reader, have excited his attention, he will have little hesitation in pronouncing that the Agents or Representatives of the North-West Company of Montreal have not only failed in their attempt to wipe off the stain which attached to their Constituents, but have fixed it more indelibly by the materials brought forward to defend them, and by the admissions apparent in that defence. “The attempt at Colonization,” say they, towards the conclusion of their Narrative, “was in its origin, objectionable in every respect to the Fur Traders,

* See Appendix, [N. N.]

“ and they do not deny, that (except in the protection and assistance they considered it their duty to afford, to their suffering countrymen,) after having ascertained the real object which the plans of Lord Selkirk were intended to cover, they have done all in their power to render these schemes abortive.”—They ~~have~~ done all in their power to render these schemes abortive;—to frustrate that plan of colonization in British North America which they avow to have been, from the first, so objectionable to them.—*By what means* they have hitherto rendered that plan abortive, it will be the province of his Majesty’s Government, incontrovertibly, and beyond the shadow of a doubt, to ascertain.

When Sir Gordon Drummond, in the year 1815, informed the principal Agent of the North-West Company, that he had received a communication from high authority, desiring him to inquire what foundation there was for the alarm entertained by the Earl of Selkirk, and by the Hudson’s Bay Company, for the safety of their settlers, he distinctly stated, that if the apprehended destruction of the colonists by the neighbouring Indians took place, it could not fail to be ascribed to the North-West Company. “ The North-West Company will be considered responsible in the eye of the world, as well as in those of his Majesty’s Government, for any such horrid catastrophe as I have alluded to, whether arising from the instigations of their subordinate agents, or from the influenced

“malignity of the Indians themselves*.” — The Indians, however, are fully and honourably acquitted of every charge either of actual aggression, or of hostile views, against the Settlement; and, in the eye of the world, the North-West Company, and they alone, will be considered responsible for the catastrophe, unless they produce far more satisfactory proofs of their innocence than those documents which they have recently submitted to the Public. Nor can the hackneyed plea of *character* do away a positive charge of *facts*: “They refer, without fear of disappointment,” say they, “to the various governors who have been appointed since the conquest of Canada, to that province, for an account of their conduct as loyal and useful members of its community.” — But who, of the Governors of Canada, have had an opportunity of witnessing the conduct of the North-West Company’s partners, agents, and servants, in the interior,—thousands of miles from the seat of the Provincial Governments? Or, who was likely to inform them of the lawless proceedings in those remote countries? Many of the Company’s partners, and others connected with that association, must themselves have been kept in ignorance of the system which prevails towards the north and west of Lake Superior; and is it to be supposed that those of the partnership who were well acquainted with that system, and who participated in

* See the letter from the Deputy Adjutant-General to Mr. M’Gillivray, of 14th June, 1815, page 57 of Statement.

its vices, would furnish the Provincial Government with the information? On the contrary, it is evident that every mode has been adopted to withhold the knowledge of what was going on in that quarter; and if the Governors of Canada have entertained a better opinion of the North-West Company than they deserved, it can in justice be only ascribed to the artful and powerful means adopted by the Company to conceal the truth with respect to their proceedings in the interior, and particularly on the subject of that conspiracy, which was entered into against the Red River Settlement.

It is not unworthy of remark, however, that the very same persons who declare the attempt at colonization on the Red River to have been in every respect objectionable to them, appear by no means averse to take merit to themselves for establishing colonies elsewhere. When set on foot by Canadian Fur Traders, Colonization is honourable and praiseworthy—but, when planned and conducted by the Earl of Selkirk, it is mean and criminal! The North-West Company, we are told “have with a
 “ spirit of liberality and expense, in many instances
 “ unrequited by the result of their undertakings,
 “ explored the whole Continent of North America,
 “ and ascertained the geographical situation of
 “ almost every river and district of those immense
 “ regions. They have recently established a considerable and thriving colony on the banks of the
 “ Columbia, on the Pacific Ocean, in direct communication with their Settlements in Canada,

“and are now extending their inland trade south-
 “ward to the Spanish settlements of California,
 “and northward to those of the Russians at New
 “Archangel.”—It would perhaps puzzle even *their*
own Geographer to name the degree of latitude
 and longitude where this “considerable and thriving
 “colony” is to be found—to specify from whom
 the lands were granted upon which it is established—
 or to state from whence the settlers have dropped
 who compose it. But if the North-West Company
 have really established such a Settlement in any
 part of British North America, it would surely have
 been not inconsistent with their boasted humanity to
 have offered to the dispersed settlers from the Red
 River an asylum in this their new and flourishing
 colony, and ensured to them that “protection and
 “assistance they considered it their duty to afford
 “to their suffering countrymen,” instead of driving
 them away with insult and barbarity to a desolate
 and inhospitable region.

Whether or not that prophetic declaration which
 they utter in their Narrative will be verified, remains
 to be ascertained.—“Thus,” say they, “was this
 “devoted colony, for the last time, dispersed:
 “and although its dissolution was sooner or later
 “inevitable from different causes to that which
 “now determined its fate, it could not have been
 “expected that it would be precipitated by so
 “much rashness*.” What those other causes of

* See Narrative, page 55.

its inevitable dissolution might have been, it is now immaterial to inquire, as they were not allowed to operate. Had the Colony, (as was observed in the Statement) been at all likely to fail from local circumstances, or causes inherent in its nature, the North-West Company would never have set on foot expensive and hazardous measures to destroy it ;— and the very last persons who ought to be listened to on the subject of the improbability of its ultimate success, are they who not only confess that, from the first, the Settlement was in every respect objectionable to them, but who have so substantially proved their hostility by reiterated endeavours to effect its destruction.

To consider what measures should be adopted for the purpose of extending the protection of the law to those British subjects whom the circumstances of the mother country are compelling to emigrate to various parts of our North American possessions, is surely an object worthy of the earnest attention of the Legislature. For, however unimportant in a public view, may be the jarring claims or disputes of rival commercial establishments, there has arisen from the transactions at Red River an object of far superior, and unquestionable importance—the necessity of putting a speedy and effectual stop to those acts of violence and outrage, of robbery and murder, which, if persisted in, cannot fail to bring a stigma upon the British character, and are a disgrace to any part, howsoever remote, of the

British Empire. In so important a subject of consideration, the first step ought to be a careful revision of the "Canada Jurisdiction Act." If, as asserted in the "Narrative," that legislative measure was introduced at the suggestion, and passed at the earnest entreaty, of those who were employed as Agents for the North-West Company*, that circumstance alone, at the present period, and after the occurrences which have taken place at the Red River, ought to be considered no slight ground for a revision of the Statute. Many of those disgraceful occurrences took place under the eye of one of the Company's principal Agents and Partners, acting at the moment as a Magistrate for the Indian Territory under the sanction of that Law. But in place of assisting British subjects who stood in so much need of his protection, he only added insult and injustice to the miseries they had already experienced. He appears to have been too expert an Agent, not to look upon the Canada Jurisdiction Act as merely an instrument to be used for the purposes of the Company who employed him. Instead, therefore, of obtaining the correct information it was his duty to procure, and taking proper measures to bring the guilty to justice, he only used his authority to imprison and put in irons, several of the settlers who had escaped from the massacre, and remunerated the Company's clerks, servants, and hirelings, who

* See Preface to Narrative, page vii. and Appendix to Narrative, No. 24, page 60.

had been actively employed, in driving off the colonists, and shedding the blood of their fellow subjects. These circumstances, alone, appear to form a sufficient reason that the Legislature should revise the Statute alluded to,—that ill-judged statute, under the sanction of which, wintering and acting partners of the Canadian Fur Traders, with their roving Commissions of the Peace, their warrants, subpoenas, and hand-cuffs, tyrannize, without restraint, in the interior of North America, over every one who offends them ;—detain their victims for years under their control ;—or, when more convenient, put them to death, as in the case of Mr. Keveney. If an inquiry into these subjects were to be instituted under the sanction of Parliament, it could not fail to prove of great national importance. But, in the investigation, the Legislature must expect to meet with no slight degree of obstruction. Those who have reigned for so long a period in the distant regions of the interior of British North America, uncontrolled by any legal restraints, whose dominion has proved a scourge to the Indians, and a terror to their own immediate Canadian dependents, are not likely to permit the truth to be exposed to the British nation, through its representatives in Parliament, without making every possible exertion to prevent it. The anticipation of these difficulties, however, instead of preventing, or delaying the investigation, ought to expedite inquiry, and render it the more rigid when once undertaken :—and the

result will too clearly shew that, after the experience of nearly fourteen years, the Canada Jurisdiction Act has in no wise promoted the views of the Legislature ; and that, in place of forwarding the ends of justice by the punishment of offenders, and the prevention of crimes, it has, in its fatal operation, only furnished the means to sanction injustice, and to legalize oppression.

APPENDIX.

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These relate chiefly to the measures taken for the destruction of the Red River Settlement in the years 1814 and 1815.—See Statement, page 10, et seq. A general reference is made to them in page 29.

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These principally relate to the destruction of the colony in 1816, and also (particularly the two last,) to the massacre of Mr. Semple and his party. —See Statement, page 68, et seq.

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These relate chiefly to the murder of Mr. Keveney.—See Observations subjoined to Statement, page 160.

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APPENDIX.

[A.]

THE CHARTER* OF THE HUDSON'S BAY COMPANY having been laid before Counsel, the following Opinions were given upon several of the Points submitted to them.

WE are of opinion, that the grant of the soil contained in the Charter is good; and that it will include all the country, the waters of which run into Hudson's Bay, as ascertained by geographical observations.

We are of opinion, that an individual holding from the Hudson's Bay Company a lease, or grant in fee-simple, of any portion of their territory, will be entitled to all the ordinary rights of landed property as in England, and will be entitled to prevent other persons from occupying any part of the lands, from cutting down timber, and fishing in the adjoining waters, (being such as a private right of fishing may subsist in), and may (if he can peaceably, or otherwise by due course of law) dispossess them of any buildings which they have recently erected within the limits of his property.

We are of opinion, that the grant of the civil and criminal jurisdiction is valid, but it is not granted to the Company, but to the Governor and Council at their respective establishments; but we cannot recommend it to be exercised so as to affect the lives or limbs of criminals.—It is to be exercised by the Governor and Council as judges, who are to proceed according to the laws of England.

The Company may appoint a sheriff to execute judgments, and to do his duty as in England.

We are of opinion, that the sheriff, in case of resistance to his authority, may call out the population to his assistance, and may put arms into the hands of their servants, for defence against attack, and to assist in enforcing the judgments of the Court; but such powers cannot be exercised with too much circumspection.

jurisdiction of the Court, who reside, or are found within the territories over which it extends.

We do not think this Act (43rd Geo. III. c. 138*) gives jurisdiction within the territories of the Hudson's Bay Company, the same being within the jurisdiction of their own Governors and Council.

We are of opinion, that the Governor (in Hudson's Bay) might, under the authority of the Company, appoint constables and other officers for the preservation of the peace, and that the officers so appointed would have the same duties and privileges as similar officers in England, so far as these duties and privileges may be applicable to their situation in the territories of the Company.

(Signed)

SAMUEL ROMILLY,
G. S. POLROYD,
WM. CRUISE,
J. SCARLETT,
JOHN BELL.

[B.]

Transaction relative to a Seizure of Provisions by Mr. Miles Macdonell.

MR. MILES MACDONELL, who was Governor of the district of Ossiniboia, in right of the Hudson's Bay Company's Charter, and had charge of the Red River Settlement, expected a considerable addition of new settlers in the Autumn of 1814, and being apprehensive that a scarcity of provisions might be felt, if early measures were not taken to obtain a sufficient quantity, he (in the month of January of that year) gave notice to the traders both of the Hudson's Bay and North-West Companies, that, at the opening of the navigation, no more would be allowed to be carried out of the district, than what might be requisite for the consumption of those traders; it being, as he thought, an indispensable duty in him to provide for the resident inhabitants of the district. The traders of both Companies, who had collected provisions from the Indians (from whom they are generally procured), were to be paid a fair price for such as he retained. The Hudson's Bay traders accordingly delivered up their surplus quantity; but those of the North-West Company refused, and attempted to carry out of the district all which they had collected. Upon this, Mr. Miles Macdonell issued a

warrant, under which a seizure of provisions was made by Mr. Spencer, the sheriff. This proceeding gave rise to considerable discussions between Mr. Miles Macdonell and Mr. Duncan Cameron, and others of the North-West Company; and upon their representing that their trade would suffer in other parts of the country, if deprived of these provisions, an agreement was entered into, the purport of which was, that the North-West Company should retain the quantity requisite for their trade at that time, and should supply Mr. Miles Macdonell with an equal quantity in the winter, if it should be wanted, for the use of the resident settlers. This agreement was not sanctioned by the subsequent general meeting of the North-West partners, who refused to confirm the acts of their agents. An information was laid before Mr. Norman McLeod, one of their partners, and a magistrate for the Indian territory, who granted a warrant to apprehend Mr. Miles Macdonell on a criminal charge of burglary and robbery.

Mr. Macdonell (though he did not admit that he was amenable to the jurisdiction under which the warrant was issued) surrendered himself, (for the reasons stated in page 26,) and was carried down to Montreal, where it does not appear that any trial has taken place. Mr. Spencer, the sheriff, had previously been apprehended under a similar warrant, and carried away from the Red River settlement in the beginning of September 1814, and detained in the custody of the North-West Company till the month of August in the following year, when that Company thought fit, at length, to bring him down to Montreal; but his trial has not yet taken place.

[C.]

LETTERS FROM D. CAMERON TO THE SETTLERS AT RED RIVER.

*To Messrs. Donald Livingston,
and Hector McEachern, per
Bostonois Pangman.* }

Sirs,

Gibraltar, 10th February, 1815.

YOUR letter of the 28th ultimo, by Jordan, came safe to hands, and I am very glad that the eyes of some of you are getting open at last to the situation you are

placed in, in this barbarous country, and that you now see your past follies in obeying the unlawful orders of a plunderer, and, I may say, of a highway robber, for what took place here last spring can be called nothing else but manifest robbery.—But I am very willing to forgive as many as repent of the poor deluded men, as I know that they are not bad men in principles, although made so by bad leaders and bad advice. You say very true, when you mention that you did not know your friends from your foes; the greatest enemies ever you had, is Lord Selkirk, Doctor Auld, and Miles M'Donell, who was made a fool of by them, and he made fools of all those that were under him. I know all the bad usage you got, and the many injustices that were done to every one of you since you left your own country, the like I never heard before, and none but hard-hearted bad men would use their fellow-creatures in such a manner. In pity to your present deplorable situations, as I consider you to be in the very worst of prisons here, I accept your offers, and will be very happy to take so many of my countrymen and fellow-subjects out of bondage, as I know very well that Lord Selkirk will never take any of you home, whatever promises Miles M'Donell may make you to the contrary.—You have already been often deceived by both of them, and they will deceive you again and again, if they can, without being ashamed of it, as deception is their very best trade, therefore I'll be proud of being your deliverer; I do not ask you a penny for your passage or provisions to go out with; you are going to a good country, where you may make a decent living for yourselves and families; we'll oblige ourselves to get lands for those that chooses to take them, and will throw none of you on the highway as beggars till you can provide for yourselves. I have no interest whatever in making you these promises, but what humanity points out to me.—With regard to your wages, I can say very little on that subject without seeing how your agreements are made out, but it is not an easy matter to make any one lose his salary, which is not like another debt. If you can only get a copy of your accounts, and get them signed by Miles M'Donell, we'll do our best to recover the money for you; but if you could get drafts on the Hudson's Bay Company for the balance of your wages, I would myself be answerable to you for every penny of it. I am told the great captain is going to pay you a visit, you'll, I believe, find him a better master than usual, but you may thank me for that, and not him, as he is afraid of what will soon happen to him. I said last fall, when M'Vicar was abusing me very much, and very undeservedly, that I would, perhaps, be the

best friend ever the colonists met with, and I hope to make my word good to such as will deserve it of me ; but, at the same time, I shall certainly be the greatest enemy they met with yet to any one that will again take up arms to fly in the face of the law, or to plunder.—I remember that you, Livingston, did not take arms last fall ; don't be afraid that Captain M'Donell will ever know any of my secrets from me, but take care that Mrs. M'Lean here will know none of your secrets, for she would sell her own brother to him, if he was here. I am afraid you'll not be able to read this scrawl, as I am really in great haste, and remain,

Your sincere well-wisher,

(Signed)

D. CAMERON.

P. S. You may trust the Bearer with any thing you may have to say.

*Messrs. Hector M'Eachern, }
and Donald Livingston. }*

Gibraltar, 10th March, 1815.

YOUR joint letter of the 6th instant, was handed to me by honest John Somerville, and I am happy, on your own accounts, that you are still of the same way of thinking, as it will afford me an opportunity of delivering so many people from bondage, and not only that, but even to save your lives, which is every day in danger from both Sotouse and Scioux.—Besides, if the country was both peaceable and good, Captain M'Donnell's violent and foolish conduct would drive all honest men out of it, as none but rogues and robbers will answer his purpose.—You tell me that John M'Vicar will, perhaps, become a Canadian yet ; I certainly have great cause to be displeased with him for his violent conduct and abusive language to me last fall, and could even get him tried for his life, but still my humanity is such as to pardon all that.—If he will acknowledge his fault, and make application to me for a passage, he shall have it, and I pledge my word and honour that nothing shall be attempted against him for his past conduct, as I am much more inclined to save the lives of poor people than I am to mean revenge against a countryman, who, I am told, is the son of an honest respectable man. M'Eachern, and any others that chooses to come here, shall be made welcome, and shall be protected against any insult.—As for any money any of you had in their hands, they will make such

accounts against all married men for the maintenance of their families, that there will not be a penny coming to them. You need not expect any justice whatever from them here, but, perhaps, you may get it elsewhere by law; however, the surest way is to get whatever you can out of their store, and I will take any article that can be of use here off of your hands, and pay you in Canada for them; my door is open to any one that chooses to come, at all times, and we'll make the best shift we can for living till spring.

I remain,

Your sincere well-wisher,

(Signed)

D. CAMERON.

The originals of the above letters were given in by H. M'Eachern with his deposition, taken, upon oath, at Montreal, in October 1815.

To the Servants of the Honourable Hudson's Bay Company, and those of the Settlement of Red River.

My Lads,

You have once already been fully apprized by a gentleman here, that in all our endeavours to bring the prisoner, Mr. Miles M'Donell, to justice, the smallest intention to injure your persons, public or private property, as well as that of your employers, was never by me in contemplation. As several of you were not then present, and are probably now deluded by your employers, by advising you to act contrary to law, I think it necessary, once more for all, to advise you as a fellow-subject, to pay due respect, submission, and obedience, to the law of our blessed constitution.—And I further declare, that any person or persons who shall be found in future attempting, by any means, to rescue and screen the prisoner from justice, shall immediately be considered as accomplices in his crimes, and treated accordingly. That your own good sense and judgment may dictate to you, free of party spirit, a true sense of the impropriety of violating, or acting in direct opposition to, your country's laws, is, my Lads, the sincere wish of your well-wisher,

(Signed)

D. CAMERON,

*Captain, Voyageur Corps,
Commanding Officer, Red River.*

*Red River, Indian Territory,
June 7, 1815.*

[D.]

Deposition of Michael M'Donnell.

Montreal, } MICHAEL M'DONNELL, late of Red River,
to wit, } in the territories of the Hudson Bay Com-
 pany, a clerk in the service of Earl Selkirk at Red River
 aforesaid, now at the city of Montreal, in the province
 of Lower Canada, maketh oath, That about the eighteenth
 day of April last, the deponent, being then a clerk in the
 service of the Earl of Selkirk as aforesaid, was apprehended
 and made prisoner by the servants of the North-West Com-
 pany, under a warrant under the hand and seal of A. Nor-
 man M'Leod, Esq. for an alledged breach of the peace,
 and was conveyed and detained a prisoner at a fort or post
 in the possession of the said North-West Company, at a
 place called the Forks, at Red River aforesaid.—That while
 the deponent was detained at the said fort or post, the same
 was under the command and orders of one Duncan Cameron,
 a partner in the said North-West Company, in whose
 custody the deponent was.—That, on or about the tenth
 day of June last, the deponent being still in the said fort, an
 attack was made by an armed force, composed of persons
 under the orders of the said Duncan Cameron (who were
 furnished with arms and ammunition for that purpose in
 the said fort,) on the settlement of the colonists at Red
 River aforesaid, in the night of that day, and upon the
 return of the party to the said fort or post, the deponent
 heard one Cuthbert Grant, a man of the half-breed, and
 a clerk in the service of the said North-West Company,
 who had been one of the party by which the said attack
 was made, declare, that not a man of the said settlement
 should put out his head the next day without being popped
 off, and this was said in the presence and hearing of the
 said Duncan Cameron, who acquiesced in, and approved of
 what was so said by the said Cuthbert Grant. That the
 day following the said party of men sallied forth from the
 said fort about break of day to renew the attack on the said
 settlement, and upon their return, the deponent heard the
 said Grant, and one Scraphim, also a clerk in the service
 of the said North-West Company, and others of the said
 party, speak of the attack which they had just made on the
 Government House in the said settlement, in which it was
 said some of the settlers or persons residing in the colony
 had been wounded, and several of them boasted of what
 they had done. That the consequence of the said attacks
 was a surrender of the said settlement to the said Duncan

Cameron, and the houses and buildings of all descriptions were afterwards burnt by the persons aforesaid, being under the command and orders of the said Duncan Cameron, and the settlers and inhabitants of the colony conveyed away by, or under, the orders of the said Duncan Cameron.—That, after the destruction of the said settlement as aforesaid, the deponent, while a prisoner in the said fort, was present at part of a speech made by Alexander M'Donell, one of the partners in the said North-West Company, to the persons in the said fort, in which he assured the Canadians, and Indians of the half-breed, by whom the said settlement had been destroyed, that they would be supported by the said North-West Company in every thing they had done. That the deponent has heard the said Duncan Cameron and Alexander M'Donell say, that the settlement aforesaid could not succeed without the countenance of the said North-West Company, and he has also heard them declare that there should be no settlement there. That while the deponent was a prisoner as aforesaid, various inducements were held out to him by the said Duncan Cameron and Alexander M'Donell, to enter into the service of the said North-West Company, which he declined doing. That while the deponent was in the said fort, he saw there horses, muskets, cannon, and farming utensils, which had belonged to the said colony, and which were then in the use of the persons in the said fort.

(Signed) MICHAEL M'DONNELL.

Sworn at Montreal, this 20th day of
September, 1815, before me,

(Signed) THOMAS M'CORD, J. P.

[E.]

Deposition of John Cooper.

Home District, York, to wit. } THE information of John Cooper, late of Red River, in the district of Ossiniboia, territories of the Hudson's Bay Company, who, being duly sworn on the Holy Evangelists, saith, that he went from Orkney, in the year 1811, as an indented servant, and arrived at Red River in autumn 1812, along with Miles Macdonell, Esq. governor of the settlement, and continued under his command till the expiration of his contract in 1814, at which time he, the deponent, was entitled to a free

passage home, and might have gone home if he had desired it, but he preferred remaining at Red River as a settler.—That he married about the end of the year 1813, and that next spring, before his contracted period of service was expired, he was allowed to plant a piece of ground with potatoes for his own use, from which he had an abundant crop.—That most of the crops had been reaped while the deponent was absent from the settlement, but he was informed that the crops of wheat and barley were good; that he, the deponent, had no intention of leaving Red River, and never applied to the North-West Company for the means of going away; but that early last winter Mr. Duncan Cameron, master of the trading post of the said North-West Company on Red River, advised him, deponent, to go to Canada, and offered to procure the means of conveyance for him, saying, that he should be brought to a good country, where the settlers might save their lives, and be in a good situation. He, the said Duncan Cameron, also told him, deponent, that the Indians intended to destroy the settlers at Red River, men, women, and children, and were restrained only by the influence of himself, the said Duncan Cameron; that these representations were repeated to the deponent several different times before he agreed to come away from the settlement, and he did not agree till he heard that a great many of the other settlers had resolved to go. That on the morning of the day when the cannon of the colony were taken away by the settlers, George Campbell came to the house of Neil M'Kinnon, where deponent resided, and read to them a paper or letter from the said Duncan Cameron, saying, that the settlers must take the cannon, otherwise they would themselves be in danger from them. He, deponent, would not agree to assist in removing the cannon, but agreed to go along with George Campbell into the house occupied by the officers of the settlement, in order to deliver Mr. Duncan Cameron's letter; that, while they were thus engaged, the cannon had been taken out by others of the settlers, and placed on sledges, on which they were carried away; and when he, deponent, came out of the house, he saw the said Duncan Cameron, who was coming out of a wood at a short distance, and went with the settlers and the cannon to his own fort or trading post, where he took in the cannon, and entertained, with drams, all those who had assisted in bringing them.—That the deponent soon after left the settlement, and went to another trading post of the North-West Company, from which he returned in the month of May, and staid for ten or twelve days at the aforesaid fort on Red River, where he

saw a great number of men assembled. There were many more of the Canadian servants of the North-West Company than had been there during the winter.—Also, about thirty half-Indians, who expressed violent hostility against the settlement.—He, deponent, had been, in the course of the winter, in the plains near Pembina, where he saw the same half-Indians, and heard them express the same hostility against the settlement; but the deponent never saw any thing of the same kind during the two preceding winters; that, on the contrary, many of the same half-Indians were then in the habit of trading with the officers of the settlement, and supplying them with buffaloe meat and other game, which they refused to sell last winter.

(Signed)

JOHN COOPER.

Sworn before me, at York, the
12th day of February, 1816.

(Signed)

ALEXANDER WOOD, J. P.

[F.]

Deposition of Robert Sutherland.

Home District, } THE information of Robert Suther-
to wit, } land, late of Red River, in the district
of Ossiniboia, territories of the Hudson's Bay Company.
Deponent being duly sworn on the Holy Evangelists, saith,
that he arrived at Red River in June 1814, and was well
pleased with the appearance of the country; that the crops
which he saw in the ensuing harvest were very good; and
the wheat was good. That he, deponent, understood that
the settlers in general were as well pleased as himself, nor
thought of leaving the country till after the arrest of
Mr. Spencer; and the deponent is of opinion, that if
Mr. Spencer had not been taken away, none of the settlers
would have thought of leaving the country. That the
deponent never observed any appearance of hostility among
the Indians, whom they, the settlers, saw during the summer,
nor entertained any apprehension of danger, till they, the
settlers, heard from the servants of the North-West Com-
pany, that Duncan Cameron, master of this trading post of
the said Company, told deponent and his wife, that the
Indians would come in the spring, and murder all the
settlers, after he, Duncan Cameron, would leave the place

in the spring, when the Indians would certainly murder them all. Duncan Cameron also said, that Miles Macdonell, Esq. governor of the settlement, would have no provisions to give to the settlers, unless he (Miles Macdonell) would take it by force, as he had done before; for that reason, Duncan Cameron told deponent and his wife, that they might have a passage to Canada, if they chose; and said to deponent and his wife, they should not only have a free passage to Canada, but that the Government would give them lands and provisions for a year; or, if Government did not do so, the North-West Company would. That deponent was with the said Duncan Cameron about half an hour; deponent's wife went with him; and that Cameron, during that time, told them of the intentions of the Indians, after he (Cameron) left the place; and promised deponent and his wife a passage to Canada, free of expense, lands and provisions, as stated before. That deponent and his wife had gone to the said Cameron, in consequence of the reports about the Indians, and for the purpose of asking a passage from the said Cameron.—Deponent frequently heard Cameron say, that he was a King's officer, and that Miles Macdonell, Esq. had no authority from the King, or no lawful authority. Deponent heard a letter read by George Campbell, one of the settlers, from Duncan Cameron, saying, that it was necessary for the settlers to take possession of the cannon of the colony, in order to prevent mischief; and that he, Duncan Cameron, would indemnify the settlers from the consequences of taking them.—That deponent was present when the settlers, in pursuance of this advice, did seize upon and carry away the cannon; that as soon as they had possession of them, a shot was fired; which deponent believes to have been intended as a signal; and that, immediately after, the said Duncan Cameron came out of a wood, where he had been concealed, at a short distance, along with Cuthbert Grant, and William Shaw, clerks in the service of the North-West Company, and a party of armed men, who conducted the guns to the fort, or trading post of the said Company, when each of the settlers present at the taking of the guns, got a dram.—Deponent says, that in the month of January, when Miles Macdonell, Esq. set out for Pembina, a number of the young men at the settlement were desired to go with him to the plains, in order to procure buffalo meat; they refused to go. Deponent heard the said Duncan Cameron say, that Miles Macdonell would not be able to get any meat in the plains, because he had not paid his hunters last year, and none would hunt for him now; and deponent believes that it was in consequence of

these representations, that the settlers refused to go with the said Miles Macdonell to the plains.

Deponent says, that on the cannon being put into the French fort, the settlers returned to their houses, where they staid a few days, and then went on with George Campbell, about three days journey; when George Campbell told them, that William Shaw was made prisoner, and they, the settlers, must go back and relieve him, the said Shaw; that the settlers were all armed, and had powder and shot, and that they did return; that William Shaw was liberated without their assistance, and they again set out on their journey.

His
(Signed) ROBERT + SUTHERLAND.
Mark.

Sworn before me, at York, the
17th February, 1816.

(Signed) ALEXANDER WOOD, J. P.

[G.]

Deposition of Angus M'Kay.

Home District, } THE information of Angus M'Kay,
to wit. } late of Red River, in the district of
Ossiniboia, and territory of the Hudson's Bay Company, who saith, that it is consistent with his knowledge, that when Miles Macdonell, Esq. governor of the country of Ossiniboia, set out from the Forks of Red River, in the month of January, last year, he desired that a number of the young men should go with him to the plains, in order to procure provisions for themselves and the rest of the settlers; but that they refused to go, having been led to believe, that it was his intention to rob the North-West Company of their provisions, instead of procuring them fairly.—That the deponent was, in dread of the Indians; having been told by officers of the North-West Company, that the Indians intended to murder all the settlers; and he was also in fear of want of provisions; in consequence of which, the deponent applied to Duncan Cameron, master of the North-West Company's trading post, by whom he was assured that all the settlers should receive lands in Upper Canada; and if Government would not give them, the North-West Company would.

That in the month of March, it was reported among the settlers, that Mr. Archibald M'Donald had said, that the cannon should be mounted on the large boat, to prevent the settlers from going away; and, that the same had been said by three Irish labourers in the service of the colony; which reports created great uneasiness among the settlers; that on a Saturday evening, about the end of March, George Campbell, communicated to John Matheson, junior, and to the deponent, a plan for seizing the cannon on the following Monday, at the time when the settlers would be assembled at the store-house of the colony, to receive their monthly supply of provisions; and that the said George Campbell read them a letter from the said Duncan Cameron, saying, that all the settlers, who wished to go to Canada, must help to take the cannon; and George Campbell also read to the deponent a copy of a letter from the said Duncan Cameron to Archibald M'Donald, ordering him to deliver up the cannon, because they were used to stop the King's highway, meaning the navigation of the river; and declaring that the cannon should be taken only to prevent harm, and not to make any bad use of them.—That, on the following day, the said George Campbell, with the deponent, and John Matheson, communicated this order to the rest of the settlers who had assembled for divine service.—That, on the forenoon of Monday, the settlers assembled as had been agreed upon; and after most of them had received their supply of provisions, George Campbell took the deponent and another of the settlers with him into the house, to deliver a letter to Mr. Archibald M'Donald, which the deponent understood to be the order from Mr. Duncan Cameron, to deliver up the cannon.—That Mr. M'Donald did not attempt to resist, but called three witnesses, (one Kilbride was one of them; deponent does not know the others,) to attest that they were taken by force against his will; that, in the mean time, others of the settlers had taken the cannon out of the store; and when the deponent came out of the house, they were nearly ready to be carried away, on the sledges which had been prepared.—That when they were ready, one of the settlers, whom the deponent believes to have been Robert Gunn, fired a shot, and that Mr. Duncan Cameron then came forward, and met the settlers at the distance of thirty or forty yards from the house, when he shook hands with some of them, signifying his pleasure at what they had done.—That the deponent afterwards left the Red River, and came to Canada in the canoes of the North-West Company, and was for some time at Fort William on his way, where he heard several of the clerks of the North-West

Company say, that the Company were in no fear of the consequences of what they had done at Red River.—The persons who went in to deliver the order to M'Donald, to deliver the cannon, were deponent, Andrew M'Beth, and George Campbell, who went in first.

(Signed) ANGUS M'KAY.

Sworn before me, at York, in the
Home District, Province of Upper
Canada, the 10th day of February,
1816.

(Signed) ALEXANDER WOOD, J. P.

[II.]

Deposition of Neil M'Kinnon.

*Home District, } INFORMATION of Neil M'Kinnon,
York, to wit. }* late of Red River, in the district of
Ossiniboia, territories of the Hudson's Bay Company.

Deponent being duly sworn on the Holy Evangelists, saith, that he arrived at Red River aforesaid, in the year 1812, that the Indians always behaved in a very friendly manner to the settlers, and they never had any fear of them till last winter.—Mr. Duncan Cameron, master of the trading post of the North-West Company at the Forks of Red River, told the settlers, that the Indians had determined to murder them all, unless they would quit the settlement.—Deponent heard this story from George Campbell.—That about the month of January last, the said Duncan Cameron advised deponent to go to Canada, and offered to give him a passage in the canoes of the North-West Company. Cameron said Canada was a good country, and he would take him to Montreal. That on the day when the cannon were taken away by the settlers, deponent was at John Matheson's house, about a quarter of a mile distant, and saw a party of men conceal themselves in a clump of wood within a short distance of the house belonging to the governor of the colony, where they waited till the settlers had brought out the cannon, and then came forward to receive them, and convey them to the fort, or trading post of the North-West Company.—That when deponent went away from Red River, deponent had some implements of agriculture out of the store of the colony; that when he was coming away, he

asked Mr. Duncan Cameron whether he should return them into the store of the colony. Cameron said, "put them into my store; if Lord Selkirk has any right to them they shall be returned to him, but they are marked down against you in the books, and you will have to pay for them whether or not;" and he did deliver into the store of the North-West Company, two hoes, one axe, and one spade. He also gave in other articles belonging to himself, and deponent received seven or eight pounds for them from Duncan Cameron after he had come to Fort William on Lake Superior. Deponent thought that by delivering back these things he would not have to pay for them hereafter.

His

(Signed)

NEIL + M'KINNON.

Mark.

Sworn before me, at York,
16th February, 1816,

(Signed) ALEXANDER WOOD, J. P.

[I.]

Deposition of Michael Kilbride.

District of } THE information of Michael Kilbride, taken
Ossiniboia. } upon oath before me, Miles Macdonell, Esq.
one of his Majesty's justices of the peace in said district.

Deponent declares, that on Monday, the 3rd of April instant, about one o'clock, P. M. George Campbell entered the servant's house, and told him, that they were going to take away the field-pieces. Deponent told the said George Campbell that that was a bad business. Campbell replied, that they could not help it, as it was Captain Cameron's orders that the field-pieces should be taken to his fort till the settlers left this country; and the said George Campbell, at the same time, shewed deponent a pair of pocket pistols, which he thinks was done with the intention of frightening him. Deponent went out to inform Mr. Bourke, but could not find him. He then saw the artillery on horse-sledges, George Bannerman taking hold of a small howitzer, and Robert Gunn standing opposite the door of one of the store-houses with a gun across his breast, which he fired as soon as the artillery were drawn away.—Immediately Mr. Duu-

can Cameron, with a gun in his hand, was seen coming out of the wood, at the head of a party of armed men. When he came to the settlers, deponent saw him shake hands with them, and heard him exclaim, "Well done, my hearty fellows!" and ask them if there were any more. The deponent also saw John Early with Mr. Cameron's party, and Donald M'Kiinnon, John Murray, and others, guarding the outer door of the Government Building, during the time the settlers were carrying away the field-pieces.

His

MICHAEL + KILBRIDE.

Mark.

Sworn at Red River Settlement, this
25th day of April, 1815, before me,

MILES MACDONELL, J. P.

[K.]

Deposition of John Bourke.

District of } THE information of Mr. John Bourke,
Ossiniboia. § taken upon oath before me, Miles Macdonell,
Esq. one of his Majesty's justices of the peace in said
district.

Deponent declares, that on Monday, the 3rd day of April instant, the settlers assembled there to be supplied with provisions, and that about the hour of one, P. M. of the same day, he saw several pieces of the colonial artillery on a horse-sledge, and that he laid hold of one of them to take it off, but was seized by several of the settlers, and told to keep off. Deponent then attempted to get into the mess-room, where Messrs. White and M'Donald were, to inform them of what was going on, but was stopped by Donald Mac-kinnon, John Murray, and others. Deponent afterwards endeavoured to get into the store-house, where he had been serving out the provisions, but was kept back by Robert Gunn, who guarded the door with a gun across his breast. Deponent further says, that he had not remained long outside till those who guarded the outer door of the main building told him that he might now enter. Deponent further declares, that he saw Mr. Duncan Cameron, of the North-West Company, at the head of a party of armed men coming out of the wood, and as he approached the settlers,

heard him cry out not to be afraid. Deponent afterwards went into the store-house, where the field-pieces were, and found that all of them were carried away, and also a small howitzer.

JOHN P. BOURKE.

Sworn at Red River Settlement, the
25th day of April, 1815, before me,

MILES MACDONELL, J. P.

[L.]

Deposition of Hector M^cEachern.

*Montreal, } HECTOR M^cEACHERN, late of the colony
to wit. § of Red River, within the territories of the
Hudson's Bay Company, in North America, now at the
city of Montreal, in the province of Lower Canada, taylor,
maketh oath, that he was employed in the service of the
said colony for nearly three years previous to the month of
June last, and lived there with his wife and family. That
after some difficulties which they encountered in the first
winter after they arrived, were got over, the colonists, and
the servants employed in the service of the colony, were
well satisfied with their situation; they found the soil and
climate excellent, and great facility in obtaining food; and
there was none of them that did not desire to remain in the
country. This disposition prevailed till the agents and ser-
vants of the North-West Company, and particularly one
Duncan Cameron, a partner in that Company, employed
themselves in exciting dissatisfaction in the minds of some
of the settlers and servants, whom they endeavoured to
induce to abandon the colony, and go over to the North-
West Company; by which great promises of advantage
were made to them.—That before these intrigues were prac-
tised, every body looked forward to the rapid improvement
of the colony; the settlers were so well pleased with it, that
they had written to invite their friends in Scotland to follow
them; and the indented servants, who had a right to a pas-
sage home, preferred remaining as settlers, and applied to
Captain M^cDonnell for land, that they might become per-
manent settlers in the colony. That the said Duncan Ca-
meron, as the deponent believes, in order to increase his
influence and authority, gave himself out as being a captain*

in the King's military service, and wore regimentals, with a sword, &c.—And one Seraphim, a clerk under him, was said to be his ensign. That a short time before the attack on the settlement in June last, the said Cameron, the better to confirm the belief of his military rank and authority, posted over the gate of the place called Fort Gibraltar, written papers, the purport of which was to give him such rank and authority: and on his way down, at a trading post of the North-West Company, called Fort William, the deponent saw new regimental dresses, which had been received for partners in the North-West Company; and he saw two of the said partners there dressed in military uniform. That no apprehensions were felt by the colonists at Red River, upon the score of the Indians, the best understanding having subsisted between them: the Soutoux nation dwelling on and near Red River, in particular, were always kind and obliging, and seemed better disposed towards the settlers than towards the North-West Company: they even continued to hunt as usual for the settlers, after the Canadians and Indians of the half-breed, under the influence of the North-West Company, had refused to do so. The persons who took part with the North-West Company, and under their influence, and at their instigation, became unfriendly to the settlers, were the said Canadians and Indians of the half-breed, who might altogether be in number about ninety or one hundred. The said Canadians consist of men from Lower Canada, who came to the country in the service of the North-West Company, and have been discharged, and now live with Indian women, and of persons of the same description, who are still in the service of that Company; and the said Indians of the half-breed may be thirty or forty in number, and are the natural children of persons in the service of the North-West Company, by Indian women; and many of them are employed in the same service.

That the deponent was at Fort Gibraltar, when nine or ten Indians of the Cree nation were brought thither by Alexander M'Donell, one of the partners of the North-West Company, in May or June last. They were feasted and kept drunk in the said fort for several days, and were then sent to speak to Captain M'Donell; and two or three days after went away. That while the deponent was at the said Fort Gibraltar, as aforesaid, he, the deponent, saw there in the hands of the North-West Company, nine pieces of cannon, which had been provided and used for the defence of the settlement at Red River; and which had been, a few months before, stolen and carried away from thence, and

brought to the said fort; where, upon one occasion, the deponent saw two of them used, and fired from.

(Signed) HECTOR M'EACHERN.

Sworn at Montreal, this 5th

December, 1815, before me,

(Signed) THOMAS M'CORD, J. P.

[M.]

Deposition of Hector M'Leod.

Home District, } HECTOR M'LEOD, late of the district
York, to wit. } of Ossiniboia, being duly sworn, saith,
 that he was engaged along with several others of the settlers at the Red River, in seizing upon and carrying away, and delivering up to the North-West Company several pieces of cannon, the property of the Earl of Selkirk, which had been provided for the defence of the settlement; that he, the deponent, was induced to join in this act, by the assurances of George Campbell and others, who represented that Miles Macdonell, governor of the said district of Ossiniboia, would use force to prevent the settlers from going away; and that, unless the cannon were taken away from him, they would never be able to go away; and that if they remained, the settlers would all be murdered by the Indians. That he, the deponent, saw a letter, which was read to him by John Matheson, or George Campbell, from Duncan Cameron, one of the partners of the North-West Company, ordering the settlers to take away the cannon, and warranting that he, the said Duncan Cameron, would indemnify them from any penal consequences; and he, the deponent, believes that the said Duncan Cameron had authority to act as he did; as he had frequently heard him say, that he was a King's officer; and that on the day the cannon were seized as aforesaid, the said Duncan Cameron came, with several of his clerks and other persons in the service of the North-West Company, to meet the settlers, and received the cannon from them, and carried them away to the trading post of the said North-West Company in the neighbourhood, where he, the deponent, has frequently seen the said cannon afterwards mounted on carriages and prepared for service.

That he, the deponent, had received from Miles Macdonell, Esq. a musket in trust, to be used for his own defence, and that of the settlement: which musket he, the deponent

carried to the said trading post of the North-West Company, and there delivered it to the said Duncan Cameron, or some person authorised by him; and that the said musket was there left by the deponent, and was neither brought away by him, nor restored to the stores of the settlement.—That he, the deponent, was for several days, in the month of June last, at a camp at Frog Plain, along with a number of half-Indians, Canadians, and others, under the command of Alexander M'Donell, a partner of the North-West Company, by whom he was frequently stationed as a sentinel, to see that no boat should pass down the river without his permission. That during his stay in this camp, he knew that the said half-Indians had made prisoners of several of the settlers who were remaining peaceably in their own houses; and he saw them ride over the cultivated ground belonging to several of the said settlers, in such a manner as to tread down and destroy their crops. The settlers brought away, were Alexander Sutherland, Adam Sutherland, George Sutherland, Catherine Sutherland, Catherine M'Pherson, John Smith, his wife, four sons, and two daughters. The said people were brought away against their wills; that the party who went for them were headed by Mr. M'Lean, a clerk of the North-West Company, and that some of the party were armed with loaded guns. Deponent heard said M'Lean tell the settlers, unless they came away, the half-Indians would burn their houses about them. Deponent saw a party go from the North-West fort; the party were headed by Mr. Grant, Mr. Shaw, of the North-West Company, and Early, one of the settlers, for the purpose of burning the houses of the settlement.—Deponent saw them set fire to Captain Macdonell's house; that is, Miles Macdonell, Esq. governor of the territory. Two big houses, the horse mill, and several other houses, with the store-houses, were burnt.—He, deponent, saw the party assist in getting out the goods out of the houses, before they set them on fire, and during the time they were burning; that the horses, hoes, spades, and axes, were sold to the North-West Company; and the settlers were paid for them by Duncan Cameron, who gave at the rate of one dollar for an axe.

His

HECTOR + M'LEOD.

Mark.

Sworn before me, at York, in
the Home District, Province
of Upper Canada, the 14th
February, 1816.

(Signed)

ALEXANDER WOOD, J. P.

[N.]

Deposition of George Sutherland.

GEORGE SUTHERLAND, late settler at Red River, saith, that on or about the 4th day of April last, he and James M'Kay, settler, received a note by the hands of John Matheson, Jun. the following of which is a copy:—

I do hereby order James M'Kay, and George Sutherland, to give up their muskets in the King's name.

D. CAMERON,

Gibraltar.

V. C.

Deponent would not obey the order: Matheson then wanted to know where his musket was, and as deponent had it concealed, he would not tell him. On or about the 15th of April last, a party of the late settlers and North-West Company's servants, consisting of about thirty men, entered deponent's house, took out his musket, and gave it to George Campbell. Deponent asked it back several times, but could not get it. George Campbell threatened to lash him on one of the sledges, and carry him a prisoner to the North-West Company's fort, and William Sutherland presented his gun at him. Several of the late settlers repeatedly came to deponent's house with messages from Mr. Duncan Cameron, that he would still take him with the rest to Canada, if he would go. On or about the 11th of June last, deponent, Adam Sutherland, his brother, and Allan Smith, went up to the Government House, and when they returned home they were told by John Smith, that others of the settlers had been taken away by the party of the North-West Company's servants, and half-breeds, commanded by Mr. Lauchlin M'Lean, a clerk in the service of the North-West Company, to an encampment they had formed at Frog Plain. When deponent, his brother, and Allan Smith, arrived at their house, they found their baggage packed up, and some of the North-West Company's servants and half-breeds soon afterwards arrived, and forced them to go to the encampment at the Frog Plain. The same party took deponent's trading gun and powder-horn, which were never returned. Deponent declares, that Mr. Alexander M'Donell, a partner of the North-West Company, who had the command, went into the tent with the

settlers were, and told them, as they were countrymen of his, he would be candid with them in telling them, that they (*viz.* the North-West Company,) were the means of saving them from the half-breeds, as it was quite uncertain but that they would kill them in the night if they remained in their houses. Deponent also saith, that Mr. Alexander M'Donell sent Mr. Lauchlin M'Lean for a piece of paper to write down their names, and he began at the top with "Prisoners of War," with their names annexed. After this, deponent heard Mr. Alexander M'Donell say in English, to Mr. Lauchlin M'Lean, to tell the settlers in Gaelic, that it was of no use to conceal what their intentions were, that they would take them prisoners to Canada if they did not consent to go as the others did. Deponent answered if he was obliged to go, he would rather go as a prisoner, as he knew there was nothing against him. Deponent argued in behalf of the rest, and at last was told by Mr. Alexander M'Donell, that "he was a devil of a brat of a boy, and, as "he was young, what sense had he more than the rest?" He then gave deponent and the rest a few minutes to make up their minds what to do. Deponent then called Allan Smith out of the tent to consult with him, but was soon after told by Mr. William Shaw, that Mr. M'Donell wanted him. A man, under the name of a constable, then clapped his hand on deponent's shoulder, and Mr. M'Donell told him that he was a prisoner in the King's name. Deponent arguing with Mr. M'Donell, was told by him, if he did not keep quiet, that he would get him stripped, and would make the people in the camp flog him. Deponent was then put into a separate tent from his friends. Mr. Duncan Cameron arrived at the camp and inquired where deponent and the rest of the settlers were. Deponent answered and went out. He was repeatedly told by Mr. Duncan Cameron to be silent, if not, that he would be put in irons. A few days after that, deponent was removed to a camp where the North-West Company had erected a battery close to the Government House of Red River settlement. The camp consisted of about sixty men, North-West Company's servants, half-breeds, and some of the late settlers and servants of Red River settlement, all under the command of Mr. Alexander M'Donell. Deponent heard Mr. Lauchlin M'Lean, Donald M'Kinnon, and others, saying that they would have Captain Miles Macdonell dead or alive.

After deponent was liberated, he went twice to the North-West Company's fort for his trading gun and his brother's. Mr. Alexander M'Donell told deponent, he was such a good lawyer, that he should not get the guns till he tried it.

Deponent called some of the people around him as witnesses that his private property was taken from him by force.

GEORGE SUTHERLAND.

Sworn at Winnipic Settlement, Hudson's
Bay Company's Territories, 11th day
of August, 1815, before me,

ARCHIBALD M'DONALD,
Counsellor.

Witness { JAMES WHITE, Surgeon.
J. P. BOURKE.

[O.]

Deposition of Patrick M'Nolty.

PATRICK M'NOLTY, late settler at Red River, saith, that on or about the 19th day of June last, Hector M'Eachern, James Pinkman, and Peter Dunn, came from the North-West Company's fort at the Forks of Red River, to deponent's house, and told him that if he did not leave his house, he and his family would be in danger of losing their lives, and that it was by orders of Captain Cameron they came to inform him. In consequence of these threats deponent, with his wife and children, left his house and slept in an open boat upon the river that night. On the following morning deponent went to Mr. Cameron, to ask protection from him to proceed down the river, on his way to Jack River, as he was afraid of being murdered by Mr. Duncan Cameron's servants if he attempted to go down the river without his permission. Mr. Cameron told deponent that he could not go till the whole of the colony went together, for as he had been ordered to leave the country, he was determined to drive out all the settlers, and when they were gone, he would not leave a stick of the buildings one upon the other. Deponent was therefore forced to fly from his house and lands, and left behind him one rood of land prepared for turnip seed, produce of the crop valued at - - - £3 0 0

Buffaloe wool, valued at - - - 10 0 0

One feather bed and household furniture, valued at - - - } 2 0 0

Land prepared for potatoes, produce of the crop valued at - - - } 8 0 0

£23 0 0

Sworn at Winnipic Settlement, Hudson's
Bay Company's Territories, this 5th day
of August, 1815, before me,

ARCHIBALD MACDONALD, *Counsellor.*

Witness { COLIN ROBERTSON,
JAMES WHITE, *Surgeon.*

[P.]

Deposition of Alexander M'Lean.

MR. ALEXANDER M'LEAN, late settler, Red River, saith, that Mr. Duncan Cameron told him that any of the settlers, who would go to Canada, should have from the North-West Company two hundred acres of land, twelve months provisions gratis, and a free passage. Deponent also saith, that he was told by the said Mr. Duncan Cameron, that he would pledge the word of the North-West Company for the fulfilment, and that he himself has, at different times, been solicited by Mr. Duncan Cameron, Mr. J. Dugald Cameron, partners of the North-West Company, to leave Red River settlement, and as an enticement for him to do so, was offered between seven and eight hundred pounds sterling; besides they promised that he should be placed in an independent situation. Mr. Duncan Cameron also promised Mr. M'Lean two hundred pounds out of his own pocket, and his servants' wages to be paid for three years. Mr. J. Dugald Cameron told Mr. M'Lean that ways and means were taken for the destruction of the colony in less than two years. Mr. M'Lean also deposes, that on or about Thursday, the 22nd day of June last, a party of half-breeds entered his house, and what they said was interpreted to him by S. Fidler, that he, with his wife and family, must leave his house, or else it would be set on fire about their heads. The next day, Mr. M'Lean removed to the Government House with the greater part of his property, and on Saturday following, he had the misfortune to see their threat accomplished by his house being burnt to the ground.

(Signed) A. M'LEAN.

Sworn at Winnipic Settlement, Hudson's
Bay Territories, this 5th day of August,
1815, before me,

ARCHIBALD MACDONALD, *Counsellor.*

Witness { COLIN ROBERTSON,
JAMES WHITE, *Surgeon.*

See also Amendment of S

[Q.]

Deposition of Joseph Kenny.

Montreal, to wit, } **JOSEPH KENNY**, late of Red River, in the territory of the Hudson's Bay Company, now at the city of Montreal, in the Province of Lower Canada, labourer, maketh oath, that he was an indented servant in the service of Earl Selkirk, in the colony at Red River aforesaid, during three years preceding the month of June last.—That while the deponent was in the service of the Earl of Selkirk aforesaid, some time in the month of February last, one James Smith, one of the settlers at Red River aforesaid, shewed to the deponent a letter addressed to him the said James Smith; and which he had received from Duncan Cameron, one of the partners in the North-West Company, in which the said Duncan Cameron proposed to the settlers and servants of Earl Selkirk, at Red River aforesaid, to abandon their situations there, and come over to the trading post of the North-West Company, in the neighbourhood, called by them Gibraltar, assuring the said James Smith, that the said settlers and servants would be well treated, be provided with a passage free of expense, and be conveyed to Montreal, in Lower Canada. That the said James Smith and others, in consequence of the inducements so held out to them by the said Duncan Cameron, did abandon the colony at Red River aforesaid, and went over to the said North-West Company, by whom they were received and taken care of, and afterwards conveyed, some of them to Upper Canada, and others to Lower Canada. That the deponent was among the number of persons who abandoned the said colony, and went over to the said North-West Company, as aforesaid; and it was about the fifth of June last, that the deponent left the said colony, and went to the said trading post, called Gibraltar. That while the deponent was at the said trading post, as aforesaid, about two or three days previous to the eleventh of June last, he observed in the store of the said North-West Company at the said trading post, a number of guns, with powder-horns and shot-bags, prepared and in order to be used, some of the guns being loaded, and the whole fit for immediate action. That, on the eleventh of June last, a party of half-Indians and Canadians, with some clerks in the service of the said North-West Company, were provided with the said guns, powder-horns, and shot-bags, prepared as aforesaid, which they received out of the said store, and sallied forth from the said trading post, and made an attack on the settlements

said settlement for at least half an hour; during which, several persons of the said settlement were wounded. That, among the persons who so sallied forth, were one Seraphim, a Canadian, a clerk in the service of the said North-West Company, one Grant, and one Shaw, Indians of the half-breed, clerks in the service of the said North-West Company, and one Bostonois, also a half-Indian, and an interpreter, in the service of the said North-West Company. That, after the said firing ceased, the said party, with the said clerks at their head, returned shouting, and manifesting their exultation at what had taken place, to the said trading post, where they were received by the said Duncan Cameron, who had the command and charge of the said trading post, and who shook several of them by the hands, and expressed his satisfaction at their conduct.—That the deponent left the said trading post two or three days afterwards, and was conveyed by the North-West Company in their canoes, to the said city of Montreal, where he arrived on the nineteenth day of the present month of October.—That, in coming down, the deponent saw one Joseph Bellegrade, a Canadian, and others of the persons employed in making the said attack on the settlement at Red River, who were then at a trading post of the said North-West Company, called Fort William; and the deponent was told by the said Bellegrade, that he and the said other persons were much dissatisfied with the said North-West Company, for not having fulfilled their promises to them, by which they had been induced to make the said attack on the said settlement, and afterwards to burn and destroy it altogether; the said Bellegrade mentioning at the same time, that what they had so done, had been done at the desire and by the instigation of the said North-West Company.

(Signed)

JOSEPH KENNY.

Sworn at Montreal, the 21st
October, 1815, before me,

ELM. ST. DIZIER, J. P.

[R.]

Deposition of Donald M'Kinnon.

Montreal, 2 DONALD M'KINNON, late of the colony of
to wit. § Red River, in the territories of the Hudson's
Bay Company, in North America, now at the city of
Montreal, in the Province of Lower Canada, labourer,
maketh oath, and saith, that he emigrated from Scotland

in the year of our Lord one thousand eight hundred and twelve, to reside in the said colony in the capacity of an indentured servant, and arrived in the said colony in the same year, and remained there till the month of March last. That in or about the latter end of last March, one George Campbell, a settler in the said colony, proposed to the deponent to join him, the said George Campbell and others, in seizing nine pieces of cannon, which had been provided for the defence of the colony, and were then lodged in one of the buildings of Earl Selkirk, there; and in conveying them away to a trading post of the North-West Company, in the neighbourhood of the colony, called Fort Gibraltar; the said George Campbell at the same time informing the deponent, that he had orders from Duncan Cameron, one of the partners of the said North-West Company, to seize and convey away the said cannon aforesaid. That the deponent, at the solicitation of the said George Campbell, as aforesaid, did join him in seizing and conveying the said cannon, as aforesaid; and the said George Campbell, aided by the deponent, one George Bannerman, and other settlers of the said colony, did, in the latter end of the said month of March last, seize the said nine pieces of cannon, placed them on sleighs, and conveyed them to the said Fort Gibraltar, where they met with the said Duncan Cameron, and two of his clerks, one Shaw and one Bostonois, opened the store of the said fort, and caused the said nine pieces of cannon to be lodged therein. That the deponent, in company with his father and his family, left Red River aforesaid, in June last, in the canoes of the North-West Company, and was conveyed by them to Fort William, one of the trading posts, where the deponent was compelled by the said North-West Company, and in particular by Kenneth M'Kenzie, one of the partners in the said North-West Company, to separate himself from his father and family, and was brought down against his will to the said city of Montreal.

(Signed) DONALD M'KINNON.

Sworn at Montreal, this 13th day of
December, 1815, before me,

(Signed) J. M. MONDELET, J. P.

[S.]

Deposition of Michael M'Donnell.

Montreal,) MICHAEL M'DONNELL, late of the colony of

Bay Company, now at the city of Montreal, in the Province of Lower Canada, maketh oath, that he is acquainted with one George Campbell, one of the colonists who emigrated from Scotland to settle in the said colony of Red River.—That the said George Campbell came to the said colony in the year of our Lord one thousand eight hundred and fourteen, having arrived at one of the posts of the Hudson's Bay Company on the sea coast, in the summer of the year of our Lord one thousand eight hundred and thirteen, and remained there till the ensuing spring.—That, in the winter of the year one thousand eight hundred and fifteen, the said George Campbell abandoned the said colony, and went over to the trading post of the North-West Company, in the neighbourhood of the said colony. That the said George Campbell, when he abandoned the said colony as aforesaid, headed a party of the settlers of the said colony, who went off with him: and he and the said party of settlers feloniously stole and carried away with them, from the said colony, nine pieces of cannon, which had been provided for the defence of the colony, and were placed in one of the buildings belonging to the Earl of Selkirk there, and which they conveyed to the said trading post of the North-West Company, called Fort Gibraltar, where they were received by Duncan Cameron, one of the partners in the said North-West Company, who retained the same.—That the said George Campbell, in speaking to the deponent of the said transaction, told him that he had so taken the said cannon by the desire of the said Duncan Cameron, and that he was not afraid of consequences for having done so, as he had a written order from the said Cameron to justify him.

That the said George Campbell, afterwards in the month of June last, assisted in the attack which was made by an armed force, proceeding from the said Fort Gibraltar, on the settlement at Red River aforesaid, and, as this deponent believes, in the destruction of the said colony at Red River, which afterwards took place. That after the said colony had been destroyed, the said George Campbell was brought with the greatest part of the settlers of the colony, by the North-West Company, to Upper Canada, and the deponent travelled in company with the said Campbell as far as a trading post of the said North-West Company, called Fort William.—That while the deponent was in confinement at Fort William aforesaid, under an illegal arrest to which he had been subjected by the procurement of the said North-West Company, the said George Campbell came to him, and in conversation mentioned that he had received one hundred pounds from the said North-West Company, which the deponent understood to be a reward for the part

which the said Campbell had taken in conveying away the cannon, and in the attack on, and destruction of, the colony at Red River aforesaid. That the said Campbell also told the deponent that he expected to get an advantageous situation at St. Joseph's, in consequence of the recommendation, and by the influence of, the North-West Company. That while the deponent was in custody as a prisoner at Fort Gibraltar aforesaid, in June last, Dugald Cameron, one of the partners in the said North-West Company, told the deponent, in the course of conversation, that the said North-West Company had offered Alexander M'Lean, the principal settler in the said colony, as much as four hundred pounds if he would abandon the said colony, and come over to the North-West Company. That while the deponent was in custody at Gibraltar, as aforesaid, he represented to Alexander M'Donell, one of the partners in the North-West Company, then having charge of the said fort, his anxious wish to be sent forward to the place where his trial was to be had, to which the said Alexander M'Donell answered, that the deponent was to go with him, and that he could not set out till he had seen all the colonists off the ground, and on their way to their future destination.

(Signed) MICHAEL M'DONNELL.

Sworn at Montreal, this 28th day of
November, 1815, before me,

(Signed) J. M. MONDELET, J. P.

[T.]

Deposition of James Flynn.

Montreal, } JAMES FLYNN, late of the colony of Red
to wit. } River, in the territories of the Hudson's Bay
Company, now at the city of Montreal, in the Province of
Lower Canada, labourer, maketh oath, that on his way down
from Red River aforesaid, to Montreal, in the month of
June last, he, the deponent, heard Duncan Cameron, one of
the partners in the North-West Company, who was then at
the River Winipeg, mention, in speaking of the destruction
of the colony at the Red River aforesaid, which had recently
before taken place, that he had left a person behind him at
Red River aforesaid, who would finish the business, meaning
the destruction of the said colony. That the deponent
also heard a conversation at the River Winipeg aforesaid,
between John M'Donell and Alexander M'Kenzie, both

partners in the said North-West Company, in which the said John M'Donell observed, that if the North-West Company had not succeeded in enticing away from the colony of Red River the Irishmen (meaning the Irish servants in the service of Earl Selkirk there,) they would have been unable to affect what they had done; whereupon the said Alexander M'Kenzie, seeing the deponent in the room, said to the said John M'Donell, by way of putting a stop to the conversation, there is Captain Macdonell's servant (meaning the deponent), which induced the deponent to retire. That the deponent was also present at Fort William, in July last, when the said Duncan Cameron, in speaking to others of the partners of the said Company, of the destruction of the settlement at Red River aforesaid, said, "I have done so much, it is for you to do the rest."

(Signed) JAMES FLYNN.

Sworn at Montreal, this 20th day of
September, 1815, before me,

(Signed) THOMAS M'CORD, J. P.

[U.]

*Drummond's Island, (Upper Canada),
22nd July, 1816.*

FROM the Minutes of a Council, held this day, between Kawtawabetay, a Chippewa chief of Sand Lake, and Lieutenant-Colonel M'Kay, Superintendent of Indian Affairs.

Lièutenant-Colonel MAULE of the 104th Regiment,
Commanding, and President.

The Right Hon. THOMAS EARL OF SELKIRK.

ALLAN, Surgeon.

DELORIMIER, Captain, Indian Department.

PAUL LA CROIX, Merchant.

Indian Department.	{	Lieutenant-Colonel WM. M'KAY, Superintendent.	}	Interpreters.
		THOMAS G. ANDERSON, Captain.		
		MICHEL BRISBOIS.		
		DAVID MITCHELL, Surgeon.		
		JOHN ASKIN, St. Kr. Int. & Cl.		
		WILLIAM SOLOMON.		
		JOSEPH ST. GERMAIN.		
		ASSE RENACK, Ottawa Chief.		
		DESONIER.		

EXTRACT.

St. Germain, the interpreter, was directed by the superintendant to ask the Chippewa chief if he had any thing further to say; on which the chief said, Yes, and said—

That in the spring of 1815, whilst at Sand Lake, ——— M'Kenzie and Morrison, told him, Kawtawabetay, that they would give him, and his people, all the goods or merchandize and rum, that they had at Fort William, Leach Lake, and at Sand Lake, if he, the said Kawtawabetay, and his people, would make and declare war against the settlers on the Red River, on which he, Kawtawabetay, asked ——— M'Kenzie and Morrison, if that demand to make war against the settlers at the Red River was by the orders of the great chiefs at Quebec, Montreal, by the commanding officers at Drummond's Island, or St. Joseph's, or from his friend Askin. The answer from M'Kenzie and Morrison was, that the request or proposal came from the agents of the North-West Company, and not from any military order, but solely from the North-West Company's agents, who wished the settlement destroyed, as it was an annoyance to them; on which he, Kawtawabetay, said, he nor his people would not comply to their request or proposals before he, the said chief, went to St. Joseph's and had seen Askin; after his return, would govern himself according to the advice he would get at St. Joseph's.

Kawtawabetay further said, that the last spring, 1816, whilst at the Fond du Lac Superior, ——— Grant, one of the North-West Company, offered him, the said chief, two kegs of rum and two carrots tobacco, if he would send some of his young men in search of some persons employed in taking dispatches to the Red River, and to pillage the said bearers of dispatches of the letters and papers, and to kill them, should they make any resistance. That he, the said chief, refused the reward, and did not pay any further attention to their request. That a short time after the aforementioned conversation had taken place between Grant and himself, one named Laguimoniére, was brought in prisoner by some Ottawa Indians, and a negro, which had been employed after his refusing to act or employ his people.

Kawtawabetay further states, that ——— Grant aforesaid told him not to be surprised to hear that whilst he, the said chief, would be absent, if he took the said chief's son and ten of his young men to the Red River, for he, the said Grant, intended to go to the said river, with twelve of the

Rain Lake Indians, and his people, for the purpose of fighting the settlers at the Red River; that he did not intend to call in the Indians to his aid to fight the settlers, for he, Grant, and his party would be strong enough to drive away the settlers, but wanted the Indians merely as spectators.

Question from the Right Honourable Thomas Earl of Selkirk, to Kawtawabetay, by permission of the President and Superintendant of Indian Affairs :

Question.—Are the Indians about the Red River, or that part of the country you came from, pleased or displeased at the people settling at the Red River?

Answer.—At the commencement of the settlement at Red River, some of the Indians did not like it, but at present they are all glad of its being settled.

Lieutenant-Colonel M'Kay told Kawtawabetay that he was happy to find that he had not taken the advice of those who wanted to lead him astray, but was glad that he had behaved himself as an obedient child in refusing to take any part with them, and hoped he and his people would continue in being friendly with all the English Merchants, traders, and all the settlers, who were all his Great Father's white children.

A true Extract,
JOHN ASKIN, J. P. }

[V.]

Deposition of P. C. Pambrun,

BEFORE me, Thomas Earl of Selkirk, one of his Majesty's justices, assigned to keep the peace in the western district of Upper Canada, appeared, Pierre Chrisologue Pambrun, who, being duly sworn on the Holy Evangelists, deposes, that in the month of April last, he was sent to the trading post of the Hudson's Bay Company, at *Qui Appelle*, by order of the deceased Governor Semple, from whom the deponent received a letter of instructions, a copy of which he has attested as relation hereto*.—That when he arrived, he found that at the fort or trading post of the North-West Company, near the same place, were assembled, a great

* A copy of these Instructions has not been received with this Deposition.

number of the men, commonly called Brulés, Métis, or half-breeds, viz. the bastard sons of Indian concubines, kept by the partners or servants of the North-West Company; that these people had been collected from a great distance, some of them having come from Cumberland House, and others from the Upper Saskatchewan, or Fort des Prairies, that they uttered violent threats against the colonists on the Red River, in which the deponent understood them to be encouraged by Mr. Alexander M'Donell, then commanding for the North-West Company.—That in the beginning of May, Mr. George Sutherland, commanding the Hudson's Bay post, embarked with the deponent and twenty-two men, in five boats, loaded with twenty-two packs of furs, and about six hundred bags of pemican.—That as they were going down the river, on or about the 12th day of May, they were attacked by a party of forty-nine servants of the North-West Company, composed partly of Canadians, and partly of half-breeds, under the command of Cuthbert Grant, Thomas M'Kay, Roderick M'Kenzie, and Peter Pangman Bostonois, clerks or interpreters of the North-West Company, and Brisbois, a guide in their service, by whom they were attacked with force of arms and taken prisoners; and brought to the fort of the North-West Company, when the deponent saw Mr. Alexander M'Donell, who avowed that it was by his order that the said Grant and others had taken them prisoners, and seized on the provisions and other property of the Hudson's Bay Company, pretending that the measure was justifiable, in retaliation for Mr. Robertson's having lately taken the North-West Company's fort at the Forks of Red River, and declaring that it was his intention to starve the colonists and servants of the Hudson's Bay Company, till he should make them surrender.—That after having retained, for five days, the servants of the Hudson's Bay Company, taken prisoners as aforesaid, the said Alexander M'Donell liberated them, after having made them promise not to take up arms against the North-West Company, but the deponent was still kept in close confinement. That towards the end of May, the said Alexander M'Donell embarked in his boats and proceeded down the river, escorted by a party of half-breeds on horseback, who followed them by land, and that he carried with him the provisions and furs which his people had taken on the 12th. That the deponent was made to embark in one of the boats, and as they were coming down the river, he was told by several of the servants of the North-West Company, that Alexander M'Donell had said the business of last year was a trifle in comparison with that which would take place this

year, and that the North-West Company and the half-breeds were now one and the same. That, at the Forks of Ossiniboyné River, they met a Sautoux chief with his band, to whom the said Mr. M'Donell made a speech, the purport of which was, that the English (meaning the settlers on the River, and the servants of the Hudson's Bay Company) were spoiling the lands which belonged to the Indians and half-breeds only; that they were driving away the buffalo, and would render the Indians poor and miserable, but that the North-West Company would drive them away since the Indians did not choose to do it; that if the settlers resisted, the ground should be drenched with their blood; that none should be spared; that he did not need the assistance of the Indians, but nevertheless he would be glad if some of their young men would join him.—That when the party came within a few miles of the Hudson's Bay Company's fort at Brandon House, the said Cuthbert Grant was sent with a party of about twenty-five men, who took the post and pillaged it of every thing, including not only the goods, provisions, and furs, belonging to the Company, but also the private property of their servants, which the deponent saw distributed among the servants of the North-West Company, Canadians as well as half-breeds.—That after this, the said M'Donell divided his forces into brigades, and Cuthbert Grant, Lacerpe, Alexander Fraser, and Antoine Hoole, were appointed to command different brigades, and that Seraphim Lamar acted as lieutenant over the whole, under the said M'Donell; that the whole force amounted to about one hundred and twenty men, among whom there were six Indians.—That on arriving at Portage des Prairies, the pemican was landed, and arranged so as to form a small fort, guarded by two brass swivels, which had been taken last year from the stores of the settlement. That on or about the 18th of June, two days after their arrival at Portage des Prairies, the said Grant, Lacerpe, Fraser, and Hoole, and Thomas M'Kay, were sent with about seventy men to attack the colony, and the said M'Donell, with several of his officers, and about forty men, remained with the pemican. That in the evening of the 20th of June, a messenger arrived from Cuthbert Grant, who reported that they had killed Governor Semple, with five of his officers and sixteen of his men, on which the said M'Donell, and all the gentlemen with him, (particularly Seraphim Lamar, Allan M'Donell, and Seivwright,) shouted with joy.—That Alexander M'Donell then went to announce the news to the rest of his people, crying out, "Sacré nom de Dieu! bonnes nouvelles, vingt-deux Anglois de tués."—That Bostonois then inquired

whether any of the half-breeds had been killed, and on being told of one, he said the deceased was his cousin, and his death must be revenged, that the affair must not end there, that the settlers must all be killed, and not one be allowed to leave the river, for as long as one of those dogs was alive they would be coming back. That on this the said Alexander M'Donell sent two messengers with orders to Grant, to detain the settlers till his arrival. That on deponent's arrival at Fort Douglas, all the settlers were away, and the place in possession of the half-breeds under Grant. That two days afterwards Mr. Archibald Norman M'Leod and Alexander M'Kenzie arrived, as agents of the North-West Company, and also James Leith, John M'Donell, Hugh M'Gillis, John M'Laughlin, Simon Fraser, Archibald M'Lellan, John Duncan Campbell, John Haldane, James Hughes, Thomas M'Murrie, with the said Alexander M'Donell, all these partners, and also Allan M'Donell, then a clerk and now a partner of the North-West Company; that these gentlemen held a council with the half-breeds who had been engaged in the massacre of Governor Semple and the settlers, made presents to them, and made a speech to them, at which deponent was not allowed to be present. That when deponent was coming away from this place, the said Alexander M'Donell lent to him a pair of pistols which had belonged to Governor Semple. That deponent also saw, in possession of the said Allan M'Donell, a double-barrelled fowling-piece, likewise the property of Governor Semple, and was informed that it had been bought from Coutanaha, one of the half-breeds who had been engaged in the massacre.—That since the deponent has been at Fort William, he has seen here many Canadians and half-breeds who had been engaged in the massacre, and also in the robberies at Qui Appelle and Brandon House. That these men have been favourably received, entertained, and protected by the partners of the North-West Company, now at Fort William. That the said Brisbois, in particular, has dined daily at the table of the partners, and the deponent has reason to believe that all the partners who are now at Fort William, or have been here since the deponent's arrival, looked upon the crimes which had been committed on Red River by the half-breeds and others under the command of Alexander M'Donell, as services done to the North-West Company, and have rewarded them accordingly;—that each of the Canadians and half-breeds who was engaged in the massacre, received a present of clothing; and that some who had not been supplied at the Forks of Red River, received articles of the same description, and to the same

amount at Fort William; and the deponent has been informed by these men, that the said presents or equipment was an extraordinary allowance given only to the men who were engaged in that action:

(Signed)

PIERRE CHRISOLOGUE PAMBRUN.

Sworn before me, at Fort William, on
the 16th day of August, 1816,

(Signed)

SELKIRK, J. P.

[W.]

Deposition of A. Lavigne.

BEFORE Thomas Earl of Selkirk, one of his Majesty's justices assigned to keep the peace in the western district of Upper Canada, and likewise in the Indian territories or parts of America, appeared Augustin Lavigne, who being duly sworn on the Holy Evangelists, made the following declaration.

Qu'il étoit au Fort de la Rivière à la Souris le printemps passé, quand Monsieur Alexander M'Donell est descendu de la Rivière Qu' Appelle avec une quantité de Brulés; qu'il s'est embarqué dans un des bateaux, et descendit jusqu'au Portage de la Prairie, où il débarqua par ordre du dit Monsieur M'Donell; et fut placé dans la compagnie de Grant, un des commis de la Société du Nord-Ouest, avec lequel il s'est rendu à cheval à la Fourche de la Rivière Rouge aux environs du Fort Anglois occupé par le Gouverneur de la Baye de Hudson. Que dans l'après-midi du 19 Juin, les trois compagnies qui étoient partis ensemble du Portage la Prairie, s'approchèrent de la Grenouillère, aux environs de laquelle plusieurs habitants cultivateurs étoient campés, à la distance d'environ deux lieux du Fort Anglois; qu'alors le dit Lavigne s'est séparé de la bande avec deux de ses camarades pour aller visiter un habitant qu'il connoissoit, qu'ils rencontrèrent deux jeunes gens avec lesquels ils entrèrent en conversation; et qu'ensuite ils ont rejoint une bande de Brulés qui les ont accusé de lâcheté pour ne pas avoir prit prisonniers ces deux Anglois, en se vantant qu'ils avoient eux-mêmes pris six. Que ces Brulés alloient se mettre à la poursuite de ces deux Anglois, quand on a vu approcher la compagnie du Gouverneur Semple; que les Brulés ont

rejoint leur bande; que le deposant Lavigne alla chercher son cheval qu'il avoit laissé en arrière; que revenant à cheval, il entendit les cris, et les coups de fusils; mais, avant son arrivé, l'affaire étoit finie, et qu'il ne restoit que les Brulés sur la place, qui tiroient encore sur les blessés qui ne faisoient pas de resistance. Le deposant ajoute qu'il vit Monsieur Pritchard, et un autre Anglois, qui avoient jetté leurs armes, demandant grâce. Que le deposant avec beaucoup de peine reussit à sauver Monsieur Pritchard, et qu'en le protegeant il a reçu beaucoup de coups de crosse du fusil, et que le deposant vit que l'autre Anglois fut tué par un des Brulés par un coup de feu.

Que peu de jours après cette affaire eut lieu, arrivèrent Messieurs M'Leod et M'Kenzie, agents de la Société du Nord-Ouest, accompagnés de plusieurs autres bourgeois, et commis; qu'ils distribuèrent aux Brulés des habillements qui avoient été apportés dans le canôt du dit M'Leod. Que Monsieur M'Leod rassembla tous les Brulés qui avoient été dans l'affaire du dix-neuvième, et leur adressa le discours suivant:—

“ Mes parens, mes pareilles, qui nous ont soulagé dans le
 “ besoin—J'ai apporté de quoi vous habiller. Je croyois
 “ trouver une quarantaine de vous autres ici avec Monsieur
 “ M'Donell, mais vous êtes plus. J'ai quarante habille-
 “ ments. Mais ceux qui en ont le plus de besoin prendront
 “ ceux là; les autres, à l'arrivée des canôts cet automne,
 “ seront habillés pareillement.”

(Signed)

AUGUSTIN + LAVIGNÉ.

Marque.

Témoin,

(Signed)

G. A. FAUCHE.

Sworn at Fort William, on the
 17th August, 1816.

(Signed)

SELKIRK, J. P.

[TRANSLATION.]

That he (A. Lavigne) was at the fort upon Mouse River last spring, when Mr. Alexander M'Donell came down from the River Qu'Appelle with a number of Brulés, that the deponent embarked in one of the boats, and went down as far as the Portage de la Prairie, where he disembarked by the orders of

the said Mr. M'Donell, and was placed in the party commanded by Grant, one of the clerks of the North-West Company, along with whom he went on horseback to the Forks of Red River, near the English fort, occupied by the governor of Hudson's Bay. That in the afternoon of the 19th of June, the three parties who had left the Portage la Prairie together, drew near to the Frog Plain, in the neighbourhood of which several of the agricultural settlers were stationed, at the distance of about two leagues from the English fort. That then the said Lavigne left the band along with two of his companions, to go and visit an inhabitant with whom he was acquainted; that they met two young persons with whom they entered into conversation, and that afterwards they rejoined a band of Brulés, who accused them of cowardice for not having made prisoners of these two English, boasting that they themselves had taken six. That these Brulés were then going to pursue these said two English, when Governor Semple and his party were seen coming towards them; that the Brulés rejoined their band; that the deponent Lavigne, went to fetch his horse which he had left behind; that returning on horseback he heard the cries, and the reports of fire-arms, but, before he arrived, the affair was over, and there remained none on the spot, but the Brulés, who were still firing on the wounded, who made no resistance. The deponent adds, that he saw Mr. Pritchard, and another Englishman, who had thrown down their arms, begging for mercy. That the deponent, with much difficulty, succeeded in saving Mr. Pritchard, and that in protecting him he received many blows with the butt-end of the muskets; and that the deponent saw the other Englishman killed by a shot from one of the Brulés.

That a few days after this affair, Messrs. M'Leod and M'Kenzie, agents of the North-West Company, arrived, accompanied by several partners and clerks, that they distributed to the Brulés clothes which had been brought in the said M'Leod's canoe. That Mr. M'Leod assembled all the Brulés who had been in the affair of the 19th, and made them the following speech.—“ My kinsmen, my comrades, who have helped us in “ the time of need, I have brought clothing for you. I expected “ to have found about forty of you here with Mr. M'Donell, but “ there are more of you. I have forty suits of clothing; those “ who are most in need of them, may have these, and, on the “ arrival of the canoes in autumn, the rest of you shall be clothed “ likewise.”

(Signed) His
AUGUSTIN + LAVIGNE.
Mark.

Witness,
(Signed) G. A. FAUCHE.

Sworn at Fort William, on the
17th of August, 1816.

(Signed) SELKIRK, J. P.

[X.]

Deposition of Louis Nolin.

BEFORE Thomas Earl of Selkirk, one of his Majesty's justices assigned to keep the peace in the western district of Upper Canada, appeared Louis Nolin, clerk in the service of the Hudson's Bay Company, who being duly sworn on the Holy Evangelists, made the following declaration.

Qu'à la fin de l'été de l'année 1815, il arriva à la Rivière Rouge, avec Monsieur Robertson ; que deux jours après leur arrivé il se tint une consultation dans le fort du Nord-Ouest occupé par Duncan Cameron, entre Cameron, ses commis et interprètes, pour trouver le moyen de chasser d'un coup de main les colons qui revenoient s'établir là : le deposant n'étoit pas present, mais Peter Pangman, dit Bostonois, lui a raconté quelques mois après, que lui, Bostonois, y avoit observé aux autres qu'il seroit sans doute plus facile de chasser les colons tout de suite, mais qu'il nesavoit pas de quelle excuse on pourroit se servir dans ce moment, et que par cet raison, on a déterminé d'attendre jusqu'à-ce-qu'on put trouver quelque pretexte, esperant toujours que les colons seroient contraints de quitter le pays faute de provisions.

Le deposant ajoute que dans le mois d'Octobre de l'année 1815, deux sauvages revenant du fort occupé par Duncan Cameron, dirent à lui deposant que Charles Hesse les avoit menacé de les faire perir s'ils avoient encore quelque communication avec les colons Anglois.

Le deposant informe que dans le courant de l'hiver dernier Seraphim Lamar lui dit qu'il avoit reçu une lettre d'Alexandre Fraser (stationé à la Rivière Qu'Appelle) dans laquelle il lui conseilloit de ne pas perdre courage, que lui, Fraser, étoit le cinquième qui pourroit lever les Bois-Brulés pour aller exterminer, le printemps prochain, les Anglois qui se trouveroient sur la Rivière Rouge.

Le deposant declare que le matin du 17 Juin, 1816, le Gouverneur Semple le fit appeller pour lui servir d'interprète à deux sauvages appelé l'un Moustouche, et l'autre Courte Aureille, qui avoient quitté le camp des Bois-Brulés, qui étoit commandé par Alexandre M'Donell. Ces deux deserteurs apprirent au Gouverneur qu'il devoit être attaqué dans deux jours par les Bois-Brulés qui étoient commandé par Cuthbert Grant, Hoole, Pruneau, Fraser, Bourrassa, Lacerbe, et Thomas M'Kay, tous employés au service du.

Nord-Ouest; qu'ils étoient tous déterminés de prendre le fort, et que si quelqu'un s'y opposoit, ils tueroient hommes, femmes et enfans, et qu'ils attraperoient Monsieur Robertson ils le couperoient en mille morceaux.

Le deposant informe de plus que le 19 Juin dans l'après-midi, il vit arriver une cinquantaine des Bois-Brûlés, ou Metifs, qui s'avançoient près des tentes des Anglois qui occupoient le haut de la Grenouillière (endroit éloigné d'une lieue du fort Anglois); le deposant étant devant le fort il en vit sortir le Gouverneur Semple avec vingt-huit hommes, le deposant monta sur un bastion, dont il vit le Gouverneur Semple arranger ses hommes en ligne. Il envoya un homme à cheval pour s'informer de ce qui se passeroit, que bientôt le deposant vit arriver au fort Monsieur Bourke qui y venoit chercher une pièce de canon par ordre du Gouverneur Semple. L'express du deposant arriva bientôt, et lui annonça qu'il y avoit une grande quantité de Metifs qui avoient enlever le Gouverneur, sur quoi le deposant envoya une seconde fois son homme, pour s'informer de ce qui se passoit; six minutes après, son homme fut de retour et annonça que cinq de ces Messieurs Anglois et le Gouverneur Semple avoient été tués ainsi que plusieurs de leurs hommes; tandis que les Metifs n'en avoient perdu qu'un seul.—Monsieur Bourke rentra au fort, blessé.

Le vingt de Juin le deposant se rendit au camp des Bois-Brûlés qui se trouvoient à la Grenouillière; il y reconnut dans le camp ennemi deux hommes et une femme qui appartenoient à la colonie, qui avoient été pris avant que le Gouverneur Semple eut joint les Bois-Brûlés.

Le deposant entra en conversation avec Cuthbert Grant, M'Kay, Hoole, Pruneau, Fraser, Bonrassa, Lacerbe, qui se vantoient chacun en particulier de leurs exploits, dans la bataille du 19 Juin contre les Anglois; Cuthbert Grant disoit qu'il si on ne lui remettoit pas le Fort Douglas, le jour suivant, il tueroit hommes, femmes, et enfans.

Le 21 les Anglois cedèrent le Fort Douglas au Metifs, (ou Bois-Brûlés,) le deposant qui étoit au fort a appris d'eux, que le Gouverneur Semple avoit été blessé premièrement par Cuthbert Grant, et qu'il avoit été tué par François Deschamps, engagé au service de la Compagnie du Nord-Ouest.

Le 22 Juin, 1816, Cuthbert Grant chassa les colons et les envoya à la Rivière au Brochet, et s'empara du fort et de tous les effets.

Il y eut ce jour-là une assemblée où les Bois-Brûlés demandèrent à Monsieur M'Kenzie, si Lord Selkirk avoit droit d'établir des colons à la Rivière Rouge; Monsieur

M'Kenzie repondit qu'il n'en n'avoit aucun droit; que toutes ces terres appartenoient aux Bois-Brulés; et Lord Selkirk pouvoit, comme la Compagnie du Nord-Ouest, y envoyer des traiteurs; mais n'avoit aucun droit de s'emparer de ces terres.

Le deposant ajoute qu'aussitôt après l'arriyé du dit Monsieur M'Kenzie, les traiteurs de la Compagnie d'Hudson furent aussi chassés de la Rivière Rouge.

(Signed)

LOUIS NOLIN.

Sworn at Fort William, on Lake Superior,
on the 21st day of August, 1816.

(Signed)

SELKIRK, J. P.

[TRANSLATION.]

THAT at the end of summer, in the year 1815, he (Louis Nolin) arrived at the Red River with Mr. Robertson;—that, two days after their arrival, a consultation was held in the fort of the North-West Company, occupied by Duncan Cameron, between Cameron, his clerks and interpreters, to find the means of driving away at one blow, the settlers who were returning to establish themselves there.—The deponent was not present, but Peter Pangman, called Bostonois, related to him some months afterwards, that he, Bostonois, had observed to the others, that it would, no doubt, be more easy to drive away the settlers immediately; but he did not know what excuse they could make use of at that moment,—and that, for this reason, they determined to wait till they could find some pretext, still hoping that the settlers would be compelled to quit the country for want of provisions.

The deponent adds, that in the month of October 1815, two Indians returning from the fort occupied by Duncan Cameron, said to him, the deponent, that Charles Hesse had threatened to destroy them, if they had any more communication with the English colony.

The deponent informs, that in the course of last winter, Seraphim Lamar told him, that he had received a letter from Alexander Fraser (stationed at the River Qu'Appelle) in which he advised him not to lose courage; that he, Fraser, was one of five who could raise the Bois-Brulés, to go and exterminate the English who might be found at Red River in the spring.

The deponent declares, that on the morning of the 17th of June, 1816, Governor Semple had him called to serve as interpreter to two Indians named Moustouche and Courte Aureille, who had quitted the camp of the Bois-Brulés, which was commanded by Alexander M'Donell. These two deserters informed the Governor, that he was to be attacked in two days by the

APPENDIX.

Bois-Brulés, who were commanded by Cuthbert Grant, Hoole, Pruneau, Fraser, Bourrassa, Lacerbe, and Thomas M'Kay, all employed in the service of the North-West Company.—That they were all determined to take the fort; and if any one opposed them, they would kill men, women, and children; and if they could catch Mr. Robertson, they would cut him into a thousand pieces.

The deponent further informs, that on the 19th of June, in the afternoon, he saw about fifty of the Bois-Brulés or Metifs arrive, who advanced near the houses of the English, who occupied the height of the Frog Plain, a place about a league from the English fort.—The deponent was in front of the fort, and he saw Governor Semple come out with twenty-eight men.—The deponent stepped up on a bastion, from whence he saw the governor arrange his men in a line. He (the deponent) sent a man on horseback to observe what might happen. That soon after, the deponent saw Mr. Bourke arrive at the fort, who came there for a piece of cannon, by order of Governor Semple. The deponent's messenger returned soon after, and informed him, that there was a great number of Metifs who had surrounded the governor, on which the deponent sent his man back again for information. In a few minutes the man returned, and announced, that five of the English gentlemen, and the governor had been killed, as well as several of their men, while the Metifs had only lost one. Mr. Bourke returned to the fort wounded.

On the 20th of June, the deponent went to the camp of the Bois-Brulés, at the Frog Plain. He there observed in the enemy's camp two men and a woman who belonged to the colony, who had been taken, before Governor Semple had met the Bois-Brulés.

The deponent entered into conversation with Cuthbert Grant, M'Kay, Hoole, Pruneau, Fraser, Bourrassa, Lacerbe;—that each of them boasted of their own particular exploits in the battle of the 19th of June with the English. Cuthbert Grant said, if they did not give up Fort Douglas to him the next day, he would kill men, women; and children.

On the 21st the English gave up Fort Douglas to the Metifs or Bois-Brulés. The deponent who was at the fort, learned from them, that Governor Semple had been first wounded by Cuthbert Grant, and that he had been killed by Francis Deschamps, employed in the service of the North-West Company.

On the 22d of June, 1816, Cuthbert Grant drove out the settlers, and sent them to Jack River, and took possession of the fort, and all the effects.

That day there was held a meeting, at which the Bois-Brulés asked Mr. M'Kenzie, if Lord Selkirk had a right to establish settlers at the Red River. Mr. M'Kenzie replied, that he had no right whatever; that all these lands belonged to the Bois-Brulés; and Lord Selkirk, as well as the North-West Company, might send traders there; but he had no right to take possession of these lands.

The deponent adds, that immediately after the arrival of the said Mr. M'Kenzie, the traders of the Hudson's Bay Company were also driven away from the Red River.

(Signed) LOUIS NOLIN.

Sworn at Fort William, on Lake
Superior, the 21st day of
August, 1816.

(Signed) SELKIRK, J. P.

[Y.]

Deposition of Louis Blondeau.

BEFORE Thomas Earl Selkirk, one of his Majesty's justices assigned to keep the peace, in the western district of Upper Canada, and likewise in the Indian territories or part of America, appeared Louis Blondeau, who, being duly sworn on the Holy Evangelists, made the following declaration.

Que dans le cours d'hiver passé étant au Fort Cumberland sous les ordres de Jean Duncan Campbell, un des propriétaires de la Compagnie du Nord-Ouest, le dit Campbell a proposé à lui, Louis Blondeau, d'aller à la Rivière Rouge, pour défendre les intérêts de la dite Compagnie contre les colonistes. Que lui, Louis Blondeau, a répondu, qu'il ne desiroit point se mêler de mauvaises affaires contre la loi; que le dit Campbell a répliqué qu'il n'y avoit point de danger, que la Compagnie du Nord-Ouest le protégeroit comme elle avoit toujours protégé ceux qui avoient agi pour ses intérêts; qu'on avoit vu beaucoup de gens qui avoient faits de mauvais coups pour les servir, et que jamais on avoit vu aucun qui en avoit subi les peines de la loi.

Que ci-après dans le même hiver le dit Campbell a montré au dit Blondeau une lettre qu'il avoit reçu de Jean M'Donald, aussi propriétaire de la dite Compagnie du Nord-Ouest, résidant à la Rivière du Cygne, faisant invitation de la part de la Compagnie, à tous les Metifs et autres qui voudroient aller à la Rivière Rouge pour défendre les intérêts de la Compagnie, et que suivant cette invitation sept Metifs et un Canadien (dont un commis et les autres engagés au service de la dite Compagnie) sont partis du Fort Cumberland dans le mois d'Avril, pour se rendre à la Rivière Qu'Appelle. Que le dit Louis Blondeau a vu quelques-

ils traversèrent la Rivière du côté où la Compagnie du Nord-Ouest a un établissement.

Le déposant déclare que depuis la Rivière Rouge il y avoit huit canôts en sa charge pour les conduire au Fort William, qu'en déchargeant ces canôts il reconnut des paquets appartenant à la Compagnie de la Baie d'Hudson, qui furent mis dans un des hangards du fort par les engagés de la Compagnie du Nord-Ouest : qu'ensuite Messrs. Kennedy et Harrison qui étoient presens pour les recevoir, les pesèrent et firent arranger les paquets en question en ligne. Après que les peltries furent détachées et pesées, Monsieur Alexandre McKenzie entra dans l'hangard, et ordonna à ses gens d'attacher chaque paquet au milieu, pour qu'on peut les transporter dans un autre hangard où le déposant, Joseph Brisbois, conduisit les engagés pour leur montrer la place qui étoit assignée pour placer les paquets en question.

Le déposant croit qu'il est de son devoir de dire que le nombre des paquets appartenant à la Compagnie de la Baie d'Hudson, qui ont été transporté de la Rivière des Souris, et Qu' Appelle, dans les hangards du Fort William, peut se monter à quarante paquets.

Le déposant croit qu'il s'est écoulé à peu près deux ou trois semaines depuis qu'il est de retour de son voyage.

Sa

(Signé)

JOSEPH + BRISBOIS.

Marque.

Sworn at Fort William, the
19th day of August, 1816.

(Signed)

SELKIRK, J. P.

[TRANSLATION.]

THAT he (Joseph Brisbois) was with Mr. Cuthbert Grant, when he took the boats of the Hudson's Bay Company coming down the River Qui Appelle, in which there were several packages of peltry, belonging to the said Hudson's Bay Company. The deponent further declares, that, on his arrival at the English fort on Mouse River, (which was then occupied by the Bois-Brulés) being encamped before the said fort, he saw packages brought out of it, which were carried by the Brulés, who placed them in the boats of the North-West Company. That afterwards they crossed the river to the side where the North-West Company have an establishment.

The deponent declares, that he had charge of eight canoes from the Red River to Fort William.—That, on unloading these canoes, he recognized packages belonging to the Hudson's Bay

Company, which were put into one of the store-houses of the fort by the servants of the North-West Company. That afterwards Messrs. Kennedy and Harrison, who were present to receive them, weighed them, and arranged them in a row. After the furs were opened out and weighed, Mr. Alexander M'Kenzie entered the shed, and ordered his people to tie each package in the middle, that they might be carried into another store-house, to which the deponent, Joseph Brisbois conducted the servants to shew them the place appointed for the packages in question.

The deponent thinks it is his duty to say, that the number of packages belonging to the Hudson's Bay Company, which were brought down from Mouse River, and Qui Appelle, might amount to forty packages.

The deponent thinks, that about two or three weeks have passed since he returned from his voyage.

His
(Signed) JOSEPH + BRISBOIS.

Mark.

Sworn at Fort William, the 19th
day of August, 1816.

(Signed) SELKIRK, J. P.

[A. A.]

Deposition of C. G. Bruce.

BEFORE Thomas Earl of Selkirk, one of his Majesty's justices assigned to keep the peace in the western district of Upper Canada, appeared Charles Gaspard Bruce, who being duly sworn on the Holy Evangelists, made the following declaration.

Qu'il partit de Montreal pour se rendre à la Rivière Rouge avec Monsieur Miles M'Donell, et pour lui servir d'interprète pour la langue Sautoux; que le 24 Juin, ils rencontrèrent au Lac de la Pluie plusieurs sauvages de cette nation, qui dirent au déposant que Monsieur M'Leod et Monsieur Alexandre M'Kenzie avoient fait assemblée tous les sauvages des environs, pour leur proposer de les suivre à la Rivière Rouge pour y delivrer Monsieur Duncan Cameron, qui y étoit detenu prisonnier par les Anglois de la Baie d'Hudson, et que si les Anglois ne vouloient pas le leur rendre, ils prendroient Monsieur Cameron de force, et que tout ce qui se trouveroit dans le fort seroit donné à eux (sauvages) pour les recompenser de leur peine. Les sauvages qui racontèrent ces faits s'appelloient Oniegakuet, Shabiné,

et son fils.—Ces sauvages dirent qu'ils n'avoient pas voulu suivre Messieurs M'Leod et M'Kenzie, mais que vingt-un Sautoux les avoient suivis, quelques-uns dans leurs propres canôts, et les autres dans les canôts de la Compagnie du Nord-Ouest. Ce recit fut confirmé par les relations d'autres sauvages de la même bande.

Le jour suivant Monsieur M'Donell et le deposant rencontrèrent une autre bande des Sautoux, qui dirent de plus que le docteur M'Laughlin avoit passé deux jours auparavant, et avoit aussi cherché à avoir des sauvages pour l'accompagner à la Rivière Rouge, que cinq Sautoux acceptèrent ses propositions, et qu'ils étoient partis pour aller joindre Messieurs M'Leod, M'Kenzie, et Leith, et beaucoup d'autres bourgeois de la Compagnie qui se rassembloient à la Rivière Rouge.

His
(Signed) CHARLES G. + BRUCE.
Mark.

Sworn at Fort William, on the
23rd of August, 1816.

(Signed) SELKIRK, J. P.

[TRANSLATION.]

THAT he (C. G. Bruce) left Montreal to go to Red River with Mr. Miles M'Donell, to serve as an interpreter for the Sautoux language; that on the 24th day of June, at Lac la Pluie, they met several Indians of that nation, who told the deponent that Mr. M'Leod and Mr. Alexander M'Kenzie had called together all the Indians of the neighbourhood, to propose that they should go along with them to Red River, in order to release Mr. Duncan Cameron, who was detained there prisoner by the English of the Hudson's Bay Company, and that if the English would not give him up they would take Mr. Cameron by force, and that whatever might be found in the fort should be given to the Indians as a recompence for their trouble. The Indians who told this were Oniegakuet, Shabiné, and his son. These Indians mentioned that they themselves refused to follow Messrs. M'Leod and M'Kenzie, but that twenty-one Sautoux had accompanied them, some in their own canoes, and the rest in the canoes of the North-West Company. This statement was confirmed by other Indians of the same band.

The following day Mr. M'Donell and the deponent met another band of the Sautoux, who told them, that Dr. M'Laughlin had also passed two days before, and had likewise tried to prevail on some Indians to accompany him to Red River. That five Sautoux accepted his proposals, and that they set out to join

Messrs. M'Leod, M'Kenzie, and Leith, and many other partners of the Company, who were assembling at the Red River.

His

CHARLES G. + BRUCE.

Mark.

Sworn at Fort William, on the
23rd of August, 1816.

(Signed)

SELKIRK, J. P.

[B. B.]

Deposition of John Bourke.

Montreal, } JOHN BOURKE, late of Fort Douglas, at
to wit. } Red River, in the territories of the Hudson's
Bay Company, in North America, now at the city of Mon-
treal, in the Province of Lower Canada, gentleman, maketh
oath, that he went out in the service of the Hudson's Bay
Company to Hudson's Bay; in the year of our Lord one
thousand eight hundred and twelve, and remained at York
Factory till the following year, when he went to the settle-
ment, formed by the Earl of Selkirk, at Red River aforesaid,
and acted there as a store-keeper to the colony. That in
the latter end of the winter, and in the spring of the present
year, information was received at Fort Douglas aforesaid,
from Indians and Canadians, that the North-West Com-
pany were collecting Indians of the half-breed, as they are
called, that is, the bastard-children of the partners and ser-
vants of that Company, by Indian women, from their diffe-
rent trading posts, and were forming them into a body at
their trading post, called *Fort Qui Appelle*, for the purpose
of attacking and destroying the said settlement at Red
River. The said *Fort Qui Appelle* was then under the
charge of Alexander M'Donell, one of the partners in the
said North-West Company, assisted by one Guthbert Grant,
and one Fraser, both of them Indians of the said half-breed,
and clerks in the service of that Company. The informa-
tion of this intended attack was conveyed by different per-
sons, and was received in such manner, that no doubt was
entertained of its truth. An almost constant watch was,
therefore, kept up, night and day, to discover the approach
of any of the parties of the North-West Company. On the
nineteenth day of June last, about five o'clock in the after-
noon, a man in the watch-house at Fort Douglas aforesaid,
called out to Governor Semple, that a party of ho

were approaching the said settlement. The deponent was then with the said governor, and observed a number of men on horseback at the distance of about half a mile from the fort. The deponent, with others, went into the watch-house, for the purpose of viewing the said party of horsemen, with a spy-glass, and they then distinctly perceived that the said party consisted of sixty or seventy men on horse-back, all of them armed, and approaching the settlement in a hostile manner. The said governor having viewed the approach of these men, who appeared to direct their course towards the settlement below the fort, desired twenty men to follow him, for the purpose of ascertaining what was their object; and upwards of that number, among whom the deponent was, immediately collected and went with him out of the fort. When the governor and his party had advanced about half a mile, they were met by some of the settlers, who, alarmed and terrified, were running to the fort for protection, and saying, that the people of the North-West Company were coming with carts and cannon. The governor, apprehending that the settlement was about to be attacked, desired the deponent to go back to the fort for a piece of cannon which was there, and to desire Mr. Sheriff M'Donell, then deputy-governor at the fort, to send with it any men he could spare. The deponent accordingly returned to the fort and delivered the said message, but Mr. M'Donell would only allow one man to accompany him, and with this man the deponent set out from the fort with the cannon in a cart. They had advanced the distance of about half a mile from the fort, when they saw that the party of horsemen had surrounded the governor, and they distinguished the flashes from the guns which were firing. The deponent fearing lest he should be intercepted with the cannon, thought it prudent to convey it back to the fort, and accompanied it part of the way himself, and then sent it forward by the man who was with him, at the same time the deponent was joined by about ten men from the fort, who proceeded with him towards the place where they expected to find the governor. Upon advancing further, they observed that the horsemen, by whom the governor and his party had been surrounded, had dispersed, and were scattered over the ground, but did not see the governor or any of his party. The deponent hesitated to go forward, when some of the hostile party cried out to the deponent in English, "Come on, come on, here is the governor, won't you come and obey him?" The deponent advanced a little further, when the same persons cried out, "Give up your arms." Apprehending that the

governor and his party had been destroyed, and believing it was the wish of the murderers to get him, the deponent, also into their hands, the deponent turned back with the ten men who were with him, and they made all haste to escape: in their flight, the deponent received a shot in his right thigh, and Duncan M'Naughton, one of the ten men, was killed. About an hour after the deponent reached the fort, he heard, from persons who had escaped from the massacre, that Governor Semple and the persons with him, excepting four or five, had been murdered by the said party of horsemen, which was composed of clerks and servants of the North-West Company, headed by Cuthbert Grant above-named. The next day the said Cuthbert Grant and the said Fraser, both of them clerks in the service of the North-West Company as aforesaid, with about sixteen or seventeen of their associates in the murders of the preceding day, came to Fort Douglas, and threatening every body in the fort and settlement with immediate death, if their orders were not complied with, insisted on the immediate abandonment of the fort and of the settlement, and that property of every kind should be delivered up to them. After some conversation and entreaty, their terms were so far modified, that it was determined that the property of private individuals should be respected, but that every thing that belonged to the Earl of Selkirk and the colony generally, should be the spoil of the plunderers.—A writing, purporting to be a capitulation, was drawn up to this effect, between Mr. Sheriff M'Donell, having charge of Fort Douglas, and the said Cuthbert Grant, which was signed by the latter as clerk to the North-West Company. Notwithstanding the assurance given, that private property should not be violated, almost every thing which the settlers and servants of the colony possessed, became the spoil of these servants of the North-West Company, and was taken by force. While the settlers were preparing for their departure, some conversation took place between the said Cuthbert Grant and the deponent, in which the said Grant said, that if he could have got hold of Mr. Colin Robertson (the agent for Lord Selkirk, by whom the colony had been re-established,) he would have got him scalped.—The second day after the massacre, the deponent saw, in the Government House, one François Fermin Boucher, a Canadian, the son of a tavern keeper at Montreal, then in the service of the North-West Company, who was armed, and acted under the orders of the said Cuthbert Grant, by whom he was employed to conduct away the colonists as far as the Frog Plains. The deponent was well acquainted with the said Cuthbert Grant.

as well as with the said Fraser, having become acquainted with them as clerks of the North-West Company, and been frequently with them. They were generally stationed as clerks at Fort *Qui Appelle*; they are natural children of the partners in the North-West Company, and have been educated in Lower Canada, where they received as good an education as young men intended for mercantile business generally do. In the hurry and confusion which succeeded the massacre, the deponent could get no assistance for his wound, and it was not till two days after, that two Indians were kind enough to dress it. When the attack was made on Governor Semple, as above-mentioned, there was an encampment of Sautoux and Cree Indians opposite to Fort Douglas. These Indians took no part whatever in the hostility which had been evinced against the colony, nor in any of the atrocities which were perpetrated for its destruction. On the contrary, they lamented the fate of Governor Semple, and those murdered with him, hardly less than the colonists themselves, and were anxious to shew their good disposition towards the colony, by every act of kindness in their power. They assisted in bringing some of the dead bodies of those who had been murdered to Fort Douglas, and in burying them; their conduct, in this respect, corresponded with that of all the Indian tribes with whom the colonists had any intercourse from the first establishment of the colony to its destruction, as above-mentioned. All these tribes were invariably kind towards the colony, and seemed well pleased at its establishment. The troubles and disasters which were experienced by the colony, were occasioned by the jealousy and hostility of the North-West Company, and no person on the spot doubted that the atrocities which were committed there were the effect of this hostility, and the work of the agents and servants of that Company, under its sanction. The settlers and servants of the colony, to the number of about two hundred souls, were conveyed away from the colony in eight boats; and on the second day after their departure they met Mr. Archibald Norman M'Leod, one of the partners in the North-West Company, and a justice of the peace for the Indian territories, with nine or ten canoes, and one batteau, in which were two pieces of artillery belonging to Lord Selkirk, which had been stolen the year before from the colony; and his men were, some of them, armed with muskets which had been stolen at the same time. The number of men with said M'Leod was about one hundred; all of them armed, and among them were a number of the half-breeds, and he was accompanied by Alexander M'Kenzie, James Leith, John

M'Donald, Hugh M'Gillis, John Duncan Campbell, John Haldane, James Hughes, and Thomas M'Murray, partners in the North-West Company. Upon the approach of the said canoes to the boats in which the settlers were, the war-hoop was set up, and inquiries, in the most insulting manner and abusive language were made, whether Mr. Robertson and Governor Semple were in the boats. After these inquiries, the said M'Leod ordered the settlers ashore, and caused a general search to be made, in their trunks, boxes, and effects, and took out of them all the books and papers which could be found, and among these, some books and papers which had belonged to Governor Semple. After this search was made, the said M'Leod caused the said boats to go to a place called Netley Creek, about one or two miles further down Red River, where he made prisoners, Michael Heden, Patrick Corcoran, Daniel M'Kay, John Pritchard, and the deponent, who were in the boats of the colonists. A general encampment was made at this place, and while the people were so encamped, a part of the persons so engaged in the massacre of Governor Semple, and the persons with him, came thither from Fort Douglas, and among these were the said Fraser, and one Bourrassa, also a clerk in the service of the North-West Company. The deponent could not see in what manner they were received, being confined to his tent, but heard at the time that they were received with open arms by the said M'Leod, and treated with every thing he could give them. The deponent and his fellow-prisoners were afterwards placed by the said M'Leod, under the guard of these murderers, and even detained some days at the same place, till the said M'Leod went to Fort Douglas to make some arrangements, and then returned. Upon his return, the said M'Leod sent the deponent and his fellow-prisoners to Point au Foudre, and some days after arrived there himself, bringing with him the wall-pieces, and the deponent believes also the artillery and muskets of the colony, which, after the massacre, had fallen into the hands of Cuthbert Grant and his party. He then took charge of the whole party, and came with them to a trading post of the North-West Company, called Fort William. The morning of their departure, the deponent was put in irons, and all his clothes were taken from him, together with his watch, and a pocket case of mathematical instruments; and in this situation he was placed on the top of the baggage, in the canoe, without any attention being paid to his wound, and was conveyed to Fort William. After his arrival there, he was put in confinement in a place that had been used as a privy. into

which light was not admitted, except through crevices between the logs, of which the building was constructed, and in which an intolerable stench prevailed. In this place the deponent was confined twenty days, at the expiration of which time he was sent to Montreal.—The deponent further saith, that on their way to Fort William, when within a few days journey of Lac à la Pluie, the deponent slept near the tent of one Campbell, a partner in the North-West Company, when several of the partners in the same Company, viz. Alexander M'Donell, Hugh M'Gillis, and others were standing at a fire near where the deponent lay, and engaged in conversation; the deponent over-heard part of their conversation, in which the said Alexander M'Donell said, "The sending down of the half-breeds was certainly "carrying things to an extremity." And he afterwards said (as if by way of accounting for what had happened,) "but it can be said that those people" (meaning Governor Semple and the persons with him) "went out to attack "them" (meaning the half-breeds,) "and met their fate." The said Alexander M'Donell asked the said M'Gillis (who had come up with the said M'Leod,) what his plan for the destruction of the settlement at Red River had been; the said M'Gillis answered that his plan was to attack the fort (meaning Fort Douglas), immediately, to which the said Alexander M'Donell replied, "If you had, they would have "killed one half of you." The said M'Gillis then asked the said Alexander M'Donell what had been his plan, to which the said Alexander M'Donell answered, it was to starve the fort (meaning Fort Douglas), as they, (meaning the persons in the fort) had only four bags of pemican. The conversation between the said persons afterwards turned upon Lord Selkirk's intention to visit Red River by the way of Fond du Lac, when the said Alexander M'Donell said, "The half-breeds will take him while he is asleep, early "in the morning." And he afterwards said, "They," (meaning, as the deponent understood, the North-West Company,) "can get Bostonois," (meaning an Indian of the half-breed, well known for his crimes,) "to shoot him." In the course of the same conversation, the deponent heard the word "*stab*" used, but cannot say with reference to whom. The next morning the deponent told what he had heard to the said Patrick Corcoran, and afterwards mentioned it to Michael Heden, both of them his fellow-prisoners.

(Signed) JOHN BOURKE.

Sworn at Montreal, 16th day of
September, 1816, before me,

(Signed) THOMAS M'CORD, J. P.

[C. C.]

Deposition of Michael Heden.

*Montreal, } MICHAEL HEDEN, late of Fort Douglas at
to wit, } Red River, in the territories of the Hudson's
Bay Company, in North America, now at the city of Mont-
real, in the Province of Lower Canada, blacksmith, maketh
oath, that he was engaged on the first day of June one thou-
sand eight hundred and twelve, to serve the Hudson's Bay
Company in North America, as a blacksmith, and in that year
went to Hudson's Bay, where he remained till the following
year, when he went to the settlement formed by the Earl of
Selkirk at Red River aforesaid, and remained there until the
said settlement was broken up and destroyed by the agents
and servants of the North-West Company, in the summer
of the year one thousand eight hundred and fifteen, and in
the autumn of the same year, returned with new supplies,
and another body of settlers to Red River aforesaid. That
in the latter end of the winter, and in the spring of the pre-
sent year, information was received at Fort Douglas afore-
said, from Indians and Canadians, that the North-West
Company were collecting Indians of the half-breed, being
the bastard children of the partners and servants of that
company by Indian women, from their different trading
posts, and were forming them into a body at their trading
post called *Fort Qui Appelle*, which was then under the
charge of Alexander M'Donell, one of the partners in the
said North-West Company, assisted by one Grant and one
Fraser, both of them Indians of the said half-breed, and
clerks in the service of the said Company, for the purpose
of attacking and destroying, a second time, the settlement at
Red River aforesaid; and this information was received
through so many channels as to leave no doubt of its truth;
an almost constant watch was, therefore, kept up, night and
day, to discover the approach of any of the parties of the
North-West Company.—On the nineteenth day of June,
about five o'clock in the afternoon, a man in the watch-
house called out to Governor Semple, that a party of horse-
men were approaching the said settlement. The governor
then went into the watch-house, in order to observe them
with a spy-glass, and two persons, Mr. Rogers, a gentleman
from England, and Mr. Bourke, a store-keeper in the service
of the colony, accompanied him, who also examined the
party with a spy-glass.—It was then distinctly perceived by
all that a party of horsemen, armed.*

settlement in a hostile manner, and in consequence, Governor Semple desired twenty of his men to follow him towards the horsemen to ascertain what was their object. This hostile party passed Fort Douglas, and entered the settlement below it, for the purpose, it would appear, of making the settlers prisoners, and they had already taken some of them, when observing the approach of Governor Semple and his men, they immediately galloped towards them, and surrounded the governor and his party. They then sent forward one of their number to speak with Governor Semple, and one Boucher, the person selected for the purpose, a Canadian, the son of a tavern keeper at Montreal, who was then a clerk or *engagé*, in the service of the North-West Company, advanced in front of his party, and rode up to Governor Semple.

When he came up to the governor, he desired, in an insolent tone, to know what he was about. The governor desired to know what he, the said Boucher, and his party wanted. The said Boucher said he wanted his fort. The governor desired him to go to his fort;—whereupon the said Boucher said, addressing himself to the said governor, "Why did you destroy our fort, you damned rascal?" the governor then laid hold of the bridle of the said Boucher's horse, saying, "Scoundrel, do you tell me so?"—When these words were uttered, the said Boucher jumped from his horse, and a shot was instantly fired by one of the party of horsemen, by which a person of the name of Holt, a clerk in the service of the colony, who accompanied the governor, and was then standing near him, was killed. The said Boucher then ran to his party, and another shot was fired from the same quarter, by which Governor Semple was wounded. When the said governor received his wound, he immediately cried out to his men, "Do what you can to 'take care of yourselves,'" but the persons who accompanied him, instead of seeking their own safety, crowded round the governor to ascertain what injury he had received, and while they were thus collected, in a small body in the centre, the party of horsemen, which had formed a circle around them, fired a general volley amongst them, by which the greater part were killed on the spot. The persons who remained standing, took off their hats and called for mercy, but in vain; the murderers galloped upon them, and stabbed with spears, and shot, nearly all of them.—The deponent escaped in the confusion to the riverside, and crossed the river in a canoe with one Daniel M'Kay, who had also the good fortune to escape, and they both reached the fort in the night.—One Michael Kilkenny, and George Suther-

land, also escaped at the same time by swimming over the river, and the lives of two other of the persons who had accompanied Governor Semple, namely, Anthony M'Donell, and John Pritchard, were spared at the intercession of some of the murderers, to whom they were known ; all the others, twenty-two in number, were murdered on the spot, and among these were Mr. Rogers, Mr. Wilkinson, secretary to the governor, Mr. Holt, Mr. White, surgeon to the colony, and Mr. M'Lean, the principal settler in the colony. The persons by whom this atrocious massacre was perpetrated, were the bastard half-Indians above-mentioned, in the service of the North-West Company, and their Canadian servants, headed by two or three of their clerks ; the whole party, between sixty and seventy in number, having been collected from various quarters at the aforesaid trading post, called *Qui Appelle*, and armed, equipped, and dispatched from that post under the orders of Alexander M'Donell above-named. Among the party, the deponent only saw three Indians, and he did not see any of these fire a shot, although he had his eyes upon them a principal part of the time. These three Indians, in the opinion of the deponent, must have been induced to accompany the party, from motives other than that of hostility towards the settlement or settlers, as the Indians of the different nations, inhabiting and frequenting the country at Red River, had always evinced the most friendly disposition towards the settlement, and lived on the best terms with the settlers. Before, and at the time of the massacre just mentioned, there was an encampment of Indians of the Sautoux and Cree nations, opposite to Fort Douglas :— these Indians not only took no part with the servants of the North-West Company in the perpetration of the massacre, but openly lamented it, and went out with carts to bring in the dead bodies, and assisted in burying those which they brought in, having been prevented by fear from bringing all of them. Those which they did not bring in remained on the ground, a prey for the wild beasts. This deponent afterwards saw many of the said Indians, men and women, wring their hands in distress and shed tears at the departure of the settlers. In the morning succeeding the massacre, the said Grant, a clerk as aforesaid, in the service of the said North-West Company, with one Fraser, and one Bourrassa, both clerks in the same service, with sixteen or seventeen men, (two or three of whom were Canadians, and the rest bastard half-Indians, also in the service of the said Company, being part of the persons by whom the murders of the preceding day had been committed,) came to Fort Douglas, after the manner of conquerors, and insisted upon the immediate aban-

donment of the fort and settlement. Although the surviving settlers were told that they might carry away all their private property, while that of Lord Selkirk only should be considered as prize, yet almost every thing belonging to the private families was in effect plundered. And this deponent was even robbed of his blankets and clothes. A written paper, of the nature of a capitulation, was drawn up between the said Grant and Mr. M'Donell, who had then the care of the settlement, and this paper, as the deponent was informed, and believes, was signed by the said Grant, as clerk to the North-West Company. Two days after, all the settlers, men, women, and children, to the number of two hundred souls, among whom the deponent was, were compelled by the same party to embark in boats, to be conveyed to the sea-coast. On their second day's journey towards Hudson's Bay, they were met by Archibald Norman M'Leod, Esq. a partner in the North-West Company, one of the house of M'Tavish, M'Gillivrays, and Co. and also a justice of the peace for the Indian territories, with nine or ten canoes, and a batteau, with two pieces of artillery which had been some time before stolen and carried away from Lord Selkirk's settlement at Red River, and having under his command ninety or one hundred men, all armed. When the party with the said M'Leod approached the boats in which the settlers were, they set up the Indian war-whoop, and the said M'Leod inquired whether the "Rascal and scoundrel "Robertson" (meaning a gentleman in the service of the Hudson's Bay Company, by whom the settlement, after its destruction in the summer of one thousand eight hundred and fifteen, had been re-established,) was in the boats, and being told he was not, he then inquired whether Mr. Semple was in them, and was informed of his fate.—The said M'Leod afterwards compelled all the settlers to go ashore, and caused them to be detained there two days, although they had not provisions sufficient for a quarter part of their journey to Hudson's Bay, and during this detention caused their baggage to be searched, and every article they had to be examined. In this search the said settlers were plundered by the persons acting under the orders of the said M'Leod, of some trunks and papers which had belonged to Governor Semple, and some books of accounts belonging to the colony, which some of the said settlers had found means to carry off with them. The said M'Leod questioned the deponent as to the particulars of what had happened at Red River, and, after hearing them, said, "they are all lies," and that he would have the deponent taken to Fort William, and put in irons to make him tell the truth. He then put into the de-

ponent's hands a paper, purporting to be a subpoena, requiring the deponent to appear and give evidence against John Bourke, at Montreal, of which paper a copy is subjoined, and told the deponent that under that paper he would be conveyed a prisoner to Montreal. The said M'Leod, at the same time, made four other persons prisoners, viz. Daniel M'Kay, John Bourke, John Pritchard, and Patrick Corcoran, and suffered all the others to proceed on their journey to Hudson's Bay. While the boats, conveying the settlers, were detained as aforesaid, a part of the murderers, Canadians and half-Indians, who had been engaged in the massacre of Governor Semple and his party as aforesaid, and among the number the above named Fraser, came down from Fort Douglas to meet the said M'Leod, and were received by him with open arms, and treated with liquors. These murderers were immediately employed by the said M'Leod to guard the deponent and the others whom he had detained as prisoners, and to convey them as far as Point à Foutre, while the said M'Leod went further on, for the purpose, as this deponent believes, of visiting Fort Douglas aforesaid, and making arrangements there. That the deponent, and the other prisoners with him, remained two days at Point à Foutre, in the custody of the said murderers, among whom were one Baudry, and one De Lorme; and, at the expiration of that time, the said M'Leod arrived, and taking the command of the whole party, caused the deponent and his companions, some in irons, and some unfettered, to be conveyed to a trading post of the North-West Company, called Fort William. That the deponent heard John Bourke, one of the prisoners conveyed with him as aforesaid, relate some particulars of a conversation which took place between some partners in the North-West Company which he had overheard previous to their arrival at Fort William, while those engaged in the conversation thought him asleep. That by this conversation it appeared to this deponent that there was a settled design in those partners to destroy the Earl of Selkirk, who was then on his way to the late settlement at Red River, and had halted in the neighbourhood of Fort William, and learning that one Chatelain, who was employed in the service of Lord Selkirk, and going up with him, was then with his men, on an Island about seven miles from Fort William, this deponent became extremely anxious to convey to Lord Selkirk, through Chatelain, intelligence of his danger. The deponent, therefore, found means, during a storm, in a small canoe, and at great risk, to visit Chatelain, with whom he had some communication. That, previous to this visit, no warrant of commitment had been issued against the

deponent, but when it became known that he had had a communication with Chatelain, he was abused and ill-treated, and a warrant was made out against him by William M'Gillivray, Esq. the principal partner in the North-West Company, one of the house of M'Tavish, M'Gillivrays and Co. and a justice of the peace for the Indian territories, under which the deponent has been brought down and lodged in the gaol at Montreal, where he now is. That after the said warrant was signed by the said William M'Gillivray the deponent was confined in a small room, in which there was a privy, without a window, and into which no light was received, except through crevices between the logs composing the walls of the said building, and into this provisions were brought to him, and laid on the seat of the privy, to be used by him as a table. In this confinement the deponent was kept, in the hottest part of summer, during ten days, at the expiration of which time he was put into a canoe, to be conveyed to Montreal. That while the deponent was at Fort William aforesaid, he saw some of the murderers, who had come down with him, well received by partners in the North-West Company, who were then there.

(Signed) MICHAEL HEDEN.

Sworn at Montreal, 16th September,

1816, before me,

(Signed)

THOMAS M'CORD, J. P.

Here follows a copy of the paper purporting to be a subpoena above referred to.

Indian Territory.

GEORGE the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, &c.

To Patrick Cockrane and Michael Heden,

We command you, and every of you, that all business being laid aside and all excuses ceasing, you do, in your proper persons, appear before the Justices of our Court of King's Bench, in and for the district of Montreal, assigned and appointed by an Act of the Imperial Parliament of Great Britain, to hear and determine, all crimes and offences committed in the said Indian Territories, at the Term of the said Court, to be holden in the City of Montreal, in the District of Montreal, in the Province of Lower Canada, on the First Day of September next, at the hour of ten in the forenoon, to testify all and singular those things which you or any of you know concerning a certain accusation against J. P.

Bourke, for Felony: And this you and every of you are in no wise to omit, under the Penalty of One Hundred Pounds, Halifax currency, and all other Penalties by law inflicted for such neglect:—Witness Archibald Norman M'Leod, Esq. one of the justices assigned to keep the peace, &c. in and for the said Indian Territory. Given at Fort Alexander, the Ninth Day of July, in the year of Our Lord One Thousand Eight Hundred and Sixteen, and in the Fifty-sixth Year of His Majesty's Reign.

(Signed) A. N. M'LEOD, J. P. J. T.

[D. D.]

Letter from Mr. Simon M'Gillivray, to the Right Honourable Earl Bathurst, &c. &c. &c.

Montreal, June 19th, 1815.

My Lord;

I am induced to take the liberty of addressing this letter to your Lordship, in consequence of a communication lately made by the Government of this province to my brother, relative to the Earl of Selkirk's settlers on the Red River, and the suspicions which his Lordship labours to excite against the North-West Company of instigating the Indians to hostile proceedings against them.

I beg leave to enclose to your Lordship a copy of the communication referred to, being a confidential letter from the Adjutant General written by order of Sir Gordon Drummond*, together with a copy of my brother's answer, and further, I beg leave to refer to the communication addressed to Mr. Goulbourne by Messrs. M'Tavish, Fraser, and Co. and Messrs. Inglis, Ellice, and Co. of London, on the 18th March last, in answer to the letter written by him to the North-West Company on the 2nd of that month.

I certainly entertained hopes that our statements in that communication, together with the verbal explanation which I had the honor to submit to your Lordship before I left London, would have removed from your Lordship's mind any impression unfavourable to the North-West Company, which might have been made by the Earl of Selkirk's imputations; and I still venture to hope that this is the case, for I am fully persuaded that without evidence to support such heavy accusations as Lord Selkirk does not scruple to bring against the North-West Company, your Lordship

* See the letter, page 57.

will not entertain them; and as I know these accusations to be utterly unfounded, and consequently that no evidence entitled to credit can be brought forward in support of them, I trust your Lordship is, or very shortly will be satisfied that the North-West Company have been most unjustly calumniated. The facts relative to Lord Selkirk's colony have already been sufficiently stated to your Lordship, and also the facts that in its infancy the settlers were preserved from actual starvation solely by the means of subsistence afforded by the North-West Company. This conduct so different to that imputed to the Company by Lord Selkirk, is, I conceive, of itself a sufficient refutation of his charges, and it certainly merited a very different return from what has been made: for I have to inform your Lordship that in addition to the calumnies which have been so industriously propagated against us in England, it has been attempted to use this colony as an engine for the injury of our trade in this country, and I presume it is in anticipation of the charges of violence and aggression which we have to bring against his Lordship's agents, it is now attempted to excite a prejudice against us, and to make the party who are really attacked and injured, appear to be the aggressors.

In the spring of 1814 Mr. M'Donell, Lord Selkirk's principal agent at the colony, and whose proclamation styling himself Governor of Ossiniboia has already been laid before your Lordship, did in virtue of this pretended authority, and with the assistance of the settlers, whose numbers had by successive importations, been greatly increased, forcibly seized and took possession of the provisions which had been collected during the preceding winter by the North-West Company's servants, and which provisions were as usual deposited at the mouth of the Red River, for the use of the people coming from the interior of the continent to our general rendezvous on the shore of Lake Superior; these provisions were indispensably requisite not merely for the transport of the Company's property, but for the subsistence of the persons employed therein, and the object of the seizure was evident, for if it had ultimately succeeded, the communication of the North-West Company with the interior must have been cut off, the consequence of which would have been most ruinous; for the people from the interior could not have brought out to Lake Superior their returns of furs, nor received their usual supplies for the ensuing winter: therefore they must in all probability have perished, or at all events they must have abandoned the property which was in their charge, and dispersed among the Indians in search of food. The persons in charge of these provi-

sions having no apprehensions of any violence, were in the first instance taken by surprise, and the principal seizure made before any idea of such an attempt was entertained, else it would have been their duty to defend their charge, and I hesitate not to say, to resist force by force, as much as it would have been the duty of any individual to defend his house or his person against a robber. They were however inferior in numbers to M'Donell's people; and they remained quiet until the arrival of the people from the interior, for whose subsistence the provisions had been collected; when this took place, the North-West Company's people far out-numbered the M'Donell's people, including the settlers and the servants of the Hudson's Bay Company, but they committed no act of violence or retaliation, they only stated that they must have their provisions, and that they had the means of taking them by force if necessary; Upon this occasion the Indians who had heard of the seizure of our provisions, came to the assistance of the traders, and I enclose to your Lordship a copy of the speech which their principal chief delivered from his tribe, and by which your Lordship will see that their assistance was refused. The North-West Company's people however only received a part of the provisions which had been seized, and they submitted to leave a part in M'Donell's possession, waving at the same time the right he assumed, and the necessary authority under which he presumed to act, to be investigated elsewhere, and the necessary legal measures for that purpose are in contemplation.

These facts, my Lord, do not rest upon vague assertions, or upon the authority of unknown correspondents, such as them quoted by Lord Selkirk in his letter to the Hudson's Bay Company,—they are substantiated by affidavits taken before the magistrates appointed under the act of parliament (43 Geo. III. cap. 138) for extending the jurisdiction of the courts of justice in this province to the Indian territories in the interior, and upon my return to England I hope to have the honor of laying before your Lordship copies of these affidavits duly authenticated, as well as other documents which may tend to throw light upon the subject.

In regard to Lord Selkirk's colony, I have always been of opinion that the attempt to establish it would ultimately lead to fatal quarrels between the Indians and settlers; and as an humble individual I used every endeavour in my power to disseminate this opinion among my countrymen in the highlands of Scotland, in order, if possible, to prevent them from being misled by his Lordship's illusive advertisements, one of which has already been laid before your Lordship.

My connections with the North-West Company gave me the means of obtaining correct information, and experience has only justified the opinion I was at first led to form; but it is surely unnecessary to point out to your Lordship the distinction between an opinion that the Indians would ultimately destroy the colony and an intention to instigate them to the massacre of my countrymen. The same opinion I still entertain, and it is strengthened by the violent and ignorant conduct of Lord Selkirk's agents. The massacre of my deceived countrymen on the Red River I consider an evil by no means improbable, but the idea of instigating so horrid a deed, I do for myself, and on behalf of my connections, most solemnly and indignantly deny.— And I hope we are too well known to render the denial necessary.

I trust your Lordship will pardon the freedom with which upon this occasion I have ventured to express myself. Imputations such as those which the Earl of Selkirk attempts to fasten upon the North-West Company, cannot but rouse the indignant feelings of any honorable man; and it is impossible to reply to such calumnious accusations in moderate terms: for Lord Selkirk's rank, the individuals comprising the North-West Company, entertain proper respect; but when he condescends to become their rival as a trader, they must endeavour to meet him or his agents on equal terms; and if instead of fair commercial emulation and enterprise, violence and calumny are employed against them, I trust the impartiality of his Majesty's Government, and the justice of their own cause, will always enable them to resist the one and refute the other.

In concluding I beg leave to mention one circumstance which may probably merit your Lordship's consideration: The settlers by proceeding up beyond the Forks of the Red River have got to the southward of the latitude of 49°, so that if the line *due west* from the Lake of the Woods is to be the boundary with the United States of America, and if, contrary to my expectation, Lord Selkirk's colony should continue to flourish, it will not be a British, but an American settlement, unless specially excepted in the adjustment of the boundary.

I have the honor to be,

With high respect,

My Lord,

Your Lordship's most obedient

And most humble Servant,

(Signed)

SIMON M'GILLIVRAY.

To the Right Hon. Earl Bathurst.

[E. E.]

Deposition of John Charles Sayer.

BEFORE Thomas Earl of Selkirk, one of his Majesty's justices, assigned to keep the peace in the western district of Upper Canada, and also in the Indian territories and parts of America not within the Provinces of Upper and Lower Canada, appeared John Charles Sayer, clerk and interpreter in the service of the North-West Company, who being duly sworn on the Holy Evangelists, deposeth,

That he was stationed at the fort, or trading-post of Lake la Pluie, last June, under the command of Mr. Leith, where Mr. A. N. M'Leod arrived from Montreal along with several other partners of the North-West Company, on their way to Red River. That at the time of their arrival a number of Indians were collected near the post for the purposes of trade, as usual at that season of the year, including not only the Indians of the department itself, but also others from Round Lake, and Red Cedar Lake, who usually trade with the post of Fond du Lac. That in the course of the next day after Mr. M'Leod's arrival, the deponent was instructed to speak privately to one of the most considerable of these Indians, called the Round Lake Chief, and to learn whether he was disposed to go with Mr. M'Leod and the other gentlemen to Red River, to assist there in defending the rights of the North-West Company. That accordingly he did converse with this chief, and ascertained that he was disposed to follow them. That in the afternoon of the same day all the Indians about the place were invited to a council in the great hall of the fort, at which were present Messrs. Alexander M'Kenzie, Robert Henry, M'Murray, and Leith, partners of the North-West Company, and Mr. Charles Grant, a clerk, as also Messrs. Misani and Brumby, officers of De Meuron's Regiment, who had arrived in company with Mr. M'Leod. That the deponent was instructed to prepare three kegs of liquor, with a proportional quantity of tobacco for the Indians, and that when these were ready and placed before them, he was instructed by Mr. M'Leod to make a speech to the Indians, telling them that these gentlemen present were going to Red River to try to recover their fort, and to rescue Mr. Cameron, and would be glad if the Indians would follow them, adding that they did not go as fighting characters, but they were told that guns were placed to prevent them from passing, and that if they were attacked they would defend themselves, also that they had expressed

a wish to have some of the King's officers to accompany them, and that Government had accordingly granted them the two officers who were present, upon which the said Round Lake chief answered in the name of the rest of the Indians, expressing their attachment to the traders of the North-West Company, and that they were ready to go wherever they desired them, and accordingly the next day the said chief, with sixteen or twenty other Indians, set out with Mr. M'Leod for Red River. The deponent observed, that the expressions which he was instructed to use in the speech were such as the Indians would certainly understand as implying an instruction to go to war against the opponents of the North-West Company.

The deponent further declares, that some weeks after this he was present when a Canadian of the name of Vincent Roy delivered to Mr. Daniel M'Kenzie a letter directed to the Earl of Selkirk, which had been entrusted to him by Miles M'Donell, Esq. and that he saw Mr. M'Kenzie inclose this letter unopened to the agent of the North-West Company at Fort William.

(Signed) JOHN CHARLES SAYER.

Sworn before me, at Fort William,
on the 8th of November, 1816,

(Signed) SELKIRK, J. P.

[F. F.]

Affidavit by George Campbell.

(Printed from the Copy in Appendix, No. VII. of "A Narrative of Occurrences," &c.)

GEORGE CAMPBELL, late of Scotland, in the parish of Creich, and county of Sutherland, deposeth, That in the year of our Lord one thousand eight hundred and thirteen, hearing that Lord Selkirk was establishing a colony in the North-West Country of Canada, and understanding that William M'Donald, one of Lord Selkirk's agents, had arrived at Brora, (a small village in the county of Sutherland), for the purpose of engaging individuals to settle in said North-West country of Canada, went to inquire into the particulars of the agreement.

That on his arrival at said village of Brora, he went to the lodgings of William M'Donald, and after breaking the subject to him, was informed by said William M'Donald, that on his arrival at Red River, in said North-West country of

Canada, upon paying the sum of five shillings sterling per acre, he would be put in immediate possession of as much land as he should require.

That any one of the settlers who could not pay the stated sum of five shillings sterling per acre, would be furnished with the like quantity for the rent of one bushel of wheat per acre per annum, or until payment at the rate aforesaid should be made.

That upon being put in possession of said land, he was to receive all implements of husbandry, live stock, &c. necessary to equip a husbandman, without exception.

That upon being thus informed, he took his leave of said William M'Donald, (without giving him any decisive answer), and returned to his home in the parish and county aforesaid, where he was in about a week after visited by said William M'Donald.

That upon conversing some time with him, he signed a paper, to which were prefixed the names of those already engaged.

That upon signing this paper, he conceives, but cannot assert it as a fact, that he paid said William M'Donald two shillings sterling, but is positive that others who signed it, actually did pay two shillings sterling*.

That William M'Donald having collected a few signatures, he took his departure and returned to Brora, previously telling him (this deponent) that he would be apprized of his Lordship's arrival in Scotland.

That some time after these transactions, (he cannot be exact to the period), he was informed that Lord Selkirk had arrived in Sutherlandshire, and with a view to meet his Lordship, went to Helmsdale, parish of Loth, and county of Sutherland.

That on his way to said village, he met his Lordship and agent, Mr. M'Lellan, near a public-house, on their way to Donald M'Kay's, in the parish of Kleyne, county aforesaid.

That his Lordship having opened the door of his carriage, spoke to him (this deponent) on the subject of the agreement he had formed with William M'Donald: his Lordship desired him to accompany them to Donald M'Kay's in the parish of Kleyne.

That in their route they stopt at Mr. Ross's dwelling-

* The absurdity of this Deponent, saying he *conceives*, but *won't assert it as a fact*, that he gave a couple of shillings to another person, and at the same time, takes it upon himself *positively to assert* that others did pay their two shillings, is too glaring! Had it been the reverse, one might have believed him.

house, where, leaving the coach, his Lordship proceeded on horseback.

That, on their arrival at Donald M'Kay's, they found a number of persons there on business of the same nature.

That his Lordship, having dined, convened those who were present, corroborating in every respect the proposals of Mr. William M'Donald, and shaking hands very cordially with almost all those who were assembled.

That he (this deponent) remained at Donald M'Kay's about three hours, when his Lordship desired him to go, and prepare himself for the voyage, giving him twenty days to arrange his affairs; which he did, telling his Lordship that he would return to Helmsdale at the time appointed.

That having settled his family concerns, &c. he returned to Helmsdale, and there learned that his Lordship had gone to Stromness.

That having staid two days at Helmsdale, he, in company with William M'Donald, (who had lodged with him during their stay at Helmsdale), proceeded to Stromness in a schooner, where they arrived in two days from the time of their embarkation.

That in Stromness he hired lodgings, and William M'Donald lodged with him; that he saw his Lordship here (Stromness), and paid into his hands the sum of thirty guineas, for his wife and child's passage, also his own; for which payment he received a note from his Lordship, and which he has now in possession.

That he also deposited in his Lordship's hands the sum of forty-two pounds sterling, (for which he also received his Lordship's note), as payment of a tract of land; his Lordship at the same time telling, that should he not like the land, he had his (Lord Selkirk's) full permission to go elsewhere.

That he remained fourteen days at Stromness, (during which time no conversation of importance passed between his Lordship and him), when he and others, under the same circumstances, embarked on board the Prince of Wales (merchant ship).

That his Lordship came on board the Prince of Wales, and told him and others, that it would be necessary for some of them to keep watch in their turn, to prevent sickness, which might occur from being crowded below.

That, previous to his leaving Stromness, his Lordship had told him to carry a gun with him, as he would require one to defend himself from any attack made by his enemies.

That he cannot state the time when the Prince of Wales

left Stromness ; but states, that said ship arrived at Churchill Cove in the season autumn eighteen hundred and thirteen.

That on his landing at the Cove, he was very ill provided for, being under the necessity of laying under old sails, and his provisions at the same time exceedingly bad ; and he firmly believes it to be the effect of ill treatment, that a number of the colonists died.

That his Lordship had desired him (this deponent) to bring neither money, clothes, or any other articles necessary, for that he could procure them as cheap at Red River as in Sutherlandshire.

That on his arrival at Churchill, he found that nothing could be purchased but with ready cash, and at so great a price that he was surprised ; he having paid for one pound of tobacco, five shillings and sixpence sterling.

That, instead of the allowance of English provisions, such as labouring men are accustomed to receive in Great Britain, and which Lord Selkirk had said should be allowed him, Mr. Archibald M'Donald, one of his Lordship's agents, who was present at the time when this promise was made, issued one pound of oatmeal and half a partridge per day, to each man, (with the same allowance for a woman and two children), together with eight pounds molasses, and eight pounds damaged pease, for every mess of twelve men per week*.

That upon demonstrating to Archibald M'Donald, that such was not the kind of provisions promised by his Lordship in his (Archibald M'Donald's) presence, Archibald M'Donald answered him, that he ought to be content with what he got, as it was good enough for him. The deponent also states that the English provisions which had accompanied them, were taken from them (the colonists), and issued to the Hudson's Bay Company's servants ; and states that, to procure the scanty pittance of half a partridge per day, they were under the necessity of travelling fifteen miles, to draw it on sleighs ; that if they (the colonists) refused to comply, their provisions were immediately stopt.

That on his route from Churchill to Red River, they laboured in the same manner as the servants of the Hudson's Bay Company, and without recompence.

That on their (the colonists') arrival at Red River, one

* The settlers (among whom was George Campbell) while unavoidably detained at Churchill, where they certainly experienced considerable privations, had, however, an allowance of good and wholesome food, pease, pearl-barley, oatmeal, molasses, partridge, beef or pork, of nearly two pounds per day for each person, including women and children.

hundred acres of land was given to each settler, and that he and five or six settlers were furnished with horses.

That he received no implements of husbandry or live stock, and all the kitchen furniture he could procure, was an old frying pan, and a small copper kettle.

That the provisions issued to them at Red River were very indifferent, such as pemican and cat fish; no salt could be procured.

That Miles M'Donell assembled the settlers at his dwelling-house, in Red River settlement, and calling him (this deponent), Angus M'Kay, and John Mathuson to his room, desired them to tell the settlers that arms would be furnished them for their defence.

That he went out and spoke to the settlers on the subject, and which measure they all adopted, but two would not.

That upon this, they were formed into a line at the end of Mr. Miles M'Donell's house, where they were treated to a glass of spirits per man, Miles M'Donell at the same time telling him, that the laws of this country (meaning Red River) were, the stronger parties dictating to the weaker. After this harangue, each man was furnished with a gun and ammunition.

That finding his treatment the reverse to what he was led to expect from Lord Selkirk's representations, and for the reasons specified in this deposition, he judged it expedient to return to Canada, and for that purpose requested a passage from Red River, from Mr. D. Cameron (a proprietor in the North-West Company), which was granted.

And farther this deponent says not.

St. Mary Two Falls, 19th August, 1815.

(Signed) GEORGE CAMPBELL.

Sworn before me, one of His Majesty's Justices of the Peace for the Indian Territories,

(Signed) JOHN JOHNSON.

[G. G.]

Declaration and Confession of Charles Reinhard.

Moi soussigné Charles de Reinhard, m'étant rendu prisonnier à Capitaine D'Orsonnens au Lac la Pluie le 2^{de} Octobre, 1816, en consequence de différentes circonstances arrivées depuis le tems de mon service dans la Compagnie de Nord-

Ouest, et pour ce qui a rapport à la mort de M. O. Keveney, fait volontairement la déclaration suivante :—

Ayant fini mon tems de service comme Coulour-Sergeant dans le Regiment de Meuron j'ai été recommandé par M. le Lieutenant de Mezani, Commandant de ma compagnie, à Messrs. W. M'Gillivray et M'Leod, pour être Commis dans la Compagnie du N. W. et j'ai obtenu ensuite mon congé du Regiment le 24 Avril 1816, par recommandation particulière faite à son Excellence le Gouverneur Sir Gordon Drummond.

Je me suis engagé avec la plus haute opinion que j'ai reçu de M. Mezani pour servir avec tout le zèle possible une société la plus honorable, et protégée par le gouvernement, et j'ai été très satisfait de partir pour le Nord en compagnie de Messrs. les Lieutenants Mezani et Brumby, qui avoient permission d'absence du regiment pour six mois, sur la demande de la Compagnie du Nord-Ouest, pour rendre une conte impartiale au gouvernement de tout ce qui se passeroit dans ce pays.

Durant le voyage j'ai entendu parler plusieurs fois d'une opposition, sans comprendre où et comme elle étoit, jusqu'à ce que nous sommes arrivés au Lac la Pluie où M. Mezani m'informa, comme M. M'Leod souhaitoit, que je misse mon habit militaire, ainsi que mon camarade Heurtre, Messrs. M'Gillivray, M'Leod, et Mezani nous ayant recommandé de les prendre avant le depart de Montreal pour paroître dans un conseil des Sauvages, qui eut lieu dans la chambre d'audience où Messrs. Mezani et Brumby ont été introduit comme Capitaines, moi et Heurtre à leur côté comme gens du Roi. M. M'Leod dirigeoit le discours pour l'Interprète, et faisoit expliquer aux Sauvages, ce qui s'étoit passé à la Rivière Rouge, où M. Robertson avait pris le fort comme un voleur, les prisonniers maltraités, et après le pillage tout brûlé, et ce qu'on avoit à craindre d'autres violences, en consequence le gouvernement avait envoyé Messrs. les Officiers, pour voir que justice fut rendu, et M. M'Leod invita les Sauvages de prendre partie avec la Compagnie du N. W. et de leur donner assistance pour defendre leur droit, sur quoi un chef des Sauvages et vingt-quatre de ses jeunes gens après avoir reçu des presents et ammunition, sont partis le lendemain avec la brigade, la moitié dans leurs propres canôts, et la moitié dans ceux de la brigade.

Arrivés au fort Bas de la Rivière, M. M'Leod fit ouvrir les caisses d'armes, et armèrent les Canadiens ; on embarqua deux pièces de canons de metal, et la brigade monta jusqu'à la Rivière des Morts, pour y attendre encore des canôts d'Athabasca, qui sont arrivés le lendemain. Le 22^e Juin

la brigade est avancé dans la Rivière des Morts, et rencontra deux barges de colonistes, dont M. M'Leod visita toutes les cassettes, coffres, &c. et garda beaucoup de papiers : il ne fit prisonnier que M. Pritchard, de qui les premiers détails des évènements qui ont eu lieu, à la Rivière Rouge, furent obtenus. Ayant retrogradé jusqu'au campement précédent avec les colonistes, M. Bourke qui étoit blessé, et trois autres serviteurs de la Compagnie d'Hudson's Bay, ont été fait prisonniers, et mis tous ensemble dans une tente, dont j'avois la surveillance.

Le lendemain M. M'Leod et les autres propriétaires présents, avec plusieurs commis, sont partis en canôts allége pour la Fourche, ainsi que Messrs. Mezani et Brumby, qui aussitôt après leur retour et des autres Messrs. de la Rivière des Morts, sont partis avec M. Hughes pour Fort William, pour apporter les nouvelles à M. Wm. M'Gillivray, et de là se rendre à Montreal immédiatement. Après que la brigade fut rassemblée, on m'envoya avec les prisonniers au Bas de la Rivière, et la brigade se rendit au Grande Rapide, craignant que M. Robertson n'intercepta les canôts chargés d'Athabasca, et Messrs. M'Donell et M'Lellan sont arrivés quatre ou cinq jours après moi, au Bas de la Rivière avec quinze Bois Brulés, trois canons, dont deux petit de metal, et un de fer, deux fusils de rempart, et environ cinquante fusils—musquets—de l'ancien modèle de l'armée. Au retour de la brigade du Grande Rapide, les prisonniers ont été embarqué pour Fort William, et j'ai reçu la direction sous le commandement de M. M'Lellan de mettre le fort en état de defense, tant contre M. Robertson, qui a été supposé vouloir prendre ce poste de provisions, où il y avoit quatre ou cinq cent sacs de pemican, qu'à recevoir avec les canons et quarante fusils en reserve toujours chargés, chaque canôt de la Compagnie d'Hudson's Bay qui tenteroit de passer la poste.

Ayant appris, que le Milord Selkirk étoit arrivé au Sault avec grand nombres d'hommes, canons, &c. on redoubla de vigilance au fort, M'Lellan faisant croire à tout le monde, que le Milord étoit leur plus grand ennemi, avilissant son caractère de toute manière,—et se représentant le pamphlet de M. Strahan comme parlant de Milord avec trop de modération, publiant l'opinion de trois avocats pour prouver la nullité de la chartre, et représentant Lord Selkirk comme agissant sans autorité, et faisant des loix à sa façon ;—que le gouvernement étoit decidemment en faveur de la Compagnie du N. W. puisqu'il avoit envoyé deux officiers, pour voir que tout étoit en règle :—que tout ce qui fait

Lord Selkirk est sans la connoissance, ou l'agrément du Gouvernement.

Dans le commencement d'Août on a appris au bas de la Rivière, qu'il étoit arrivé dans le Lac du Bonnet une barge d'Anglois de la Baie d'Hudson avec peu de monde. Par les premiers canôts chargés pour Athabasca il arriva un homme de cette barge, qui dit, qu'il ne pouvoit plus rester avec M. Keveny qui commande cette barge, et que ses camarades échapperoient aussi à la première occasion.—Quelques jours après quatre autres hommes de cette barge sont arrivés avec des autres canôts pour Athabasca. Deux ou trois jours après M. M'Leod étant arrivé du Fort William examina les hommes, dont un nommé Hay a fait serment, que M. Keveny avoit cruellement maltraité lui et ses camarades, sur cela M. M'Leod donna un warrant contre lui, et nomma moi, et un de ses propres hommes nommé Castalo, comme connetable pour aller l'arrêter au portage, où ses gens l'avoit abandonné. M. M'Lellan ordonna six Bois-Brulés avec moi pour assistance; en arrivant sur les dix heures de matin, j'ai trouvé M. Keveny dans sa tente, et je lui'ai annoncé ma mission, le faisant prisonnier au nom du Roi; il fut très surpris, il saisit ses pistolets pour se défendre.—Lui ayant représenté que son opposition à la loi seroit une cause inévitable de sa mort immédiate, il resta tranquille et demanda à voir le warrant par lequel il étoit arrêté.—L'ayant lu, il vint de nouveau furieux, et j'avois beaucoup de peine à empêcher les Bois-Brulés de le tuer. M. Keveny fut emmené prisonnier au bas de la Rivière; j'ai laissé l'interprète Primeau pour avoir soin de ses propriétés déjà sous la charge de son commis, nommé Cowly, et son domestique un Irlandois. Arrivés au fort avec le prisonnier, il eut une vive dispute avec M'Lellan, prétendant ne point être sous la juridiction du Canada, étant sur la territoire de la Compagnie de la Baie d'Hudson, il prétendoit être independant du loi du Canada. Le lendemain vers les dix heures il fut embarqué pour Fort William avec cinq Bois-Brulés, à qui M. M'Lellan remit des fers pour en faire usage en cas que le prisonnier fit resistance. J'ai ensuite appris des Bois-Brulés, qu'arrivés au portage, le prisonnier se conduisit de manière à les obliger de le garrotter, et lui mettre les fers aux mains. Le commis de M. Keveny (Cowly) étant abandonné, se rendit au fort, demanda à M. M'Lellan de recevoir contre un reçu la barge avec la charge, et de lui accorder la liberté, et encore un homme pour retourner avec un petit canôt au Fort Albany, d'où ils étoient venus. Le reçu a été delivré pour quatre veaux, une alembique, une caisse d'armes, des

au fort il delivra des papiers de M. Keveny à M. M'Lellan, et il garda pour lui les habillemens qu'il (M. Keveny) avoit laissé en partant pour Fort-William; il fit en outre present à M. M'Lellan de livre, flacon à vin, chandeliers, tasses, et autres petites articles.

Parmi les papiers il y avoit des instructions imprimés d'Hudson's Bay. J'ai appris que M. M'Donell ayant rencontré le prisonnier et les cinq Bois-Brulés, remplaça les cinq Bois-Brulés par deux jeunes Canadiens, et un Sauvage comme guide, pour conduire le prisonnier au Lac la Pluie. Messrs Stuart et Thompson ayant rencontré, trois ou quatre jours après, ce canôt, le firent retourner. Les Canadiens et le Sauvage s'étant disputé, il se separèrent, et les Canadiens, ignorant le chemin, n'ont plus pu suivre leur route, ont abandonné le prisonnier dans une petite isle, et sont restés dans une autre isle pas loin de lui. M. Stuart étant arrivé au bas de la Rivière avec la nouvelle que Fort William étoit pris, M'Lellan l'envoya avec un canôt allége à Athabasca pour avertir M. M'Leod, et un autre à la Rivière Rouge pour avertir M. M'Donell, qui arriva au bas de la Rivière le 4^{me} Septembre, dans la nuit, avec les Bois-Brulés et des Sauvages. Pendant tout ce tems on attendoit M. Keveny, qui n'arrivoit point, et on conjecturoit ou que le Sauvage l'avoit tué, ou que les Canadiens s'étoient égarés, ou que le canôt avoit fait naufrage. Le 5^{me} de Septembre M. M'Donell et M'Lellan ont assemblé tout le monde au bas de la Rivière pour un conseil, on representa dans une proclamation la prise du Fort William, et les dangers qu'on courroient en permettant à l'ennemi de pénétrer plus avant, et demanda, ceux qui voudroient se rendre volontairement au Lac la Pluie, de s'annoncer. La plupart ayant refusé et préféré defendre leurs terres à la Rivière Rouge, M. M'Lellan en pris un canôt allége avec M. Grant, Cadot, et moi, ses Bois-Brulés, et son domestique, un Canadien, dans l'intention de se rendre au Lac la Pluie pour apprendre des nouvelles, et en même temps chercher à decouvrir ce qu'étoit devenu M. Keveny. Pendant le voyage la conversation general étoit que si on le trouvoit, il falloit le tuer, étant un ennemi déterminé de la Compagnie, et qu'il pourroit faire beaucoup de dommage à la Rivière Rouge, si dans le tems il auroit occasion de prendre vengeance. Après quatre jours de marche, le Sauvage s'est trouvé près d'une petite rivière, quelques heures après on apperçut les Canadiens, aux quels M'Lellan administroit beaucoup d'invectives, et plusieurs coups de perches, pour avoir battu le Sauvage et abandonné le prisonnier. Les Bois-Brulés ont insulté les Canadiens pour avoir empêché au Sauvage de tuer le prisonnier, qui disoient, il

auroit dû être mis à mort au moment qu'il fut pris. M. M'Lellan s'étant informé, où il pourroit trouver le prisonnier, il prit les Canadiens dans le canôt, le Sauvage y étant déjà, recouvert d'un manteau Ecosais, afin de n'être pas reconnu. M. M'Lellan en fut furieux en arrivant à l'isle où le prisonnier avoit été abandonné, sans le trouver, croyant qu'il s'étoit échappé de la côté de la Baie d'Hudson, et chercha chez tous les Sauvages, jusqu'à ce qu'il le trouva par sa tente, qui étoit près d'une famille de Sauvages, à qui M'Lellan fit present de rum et tabac, et traita un petit canôt pour faire embarquer le prisonnier avec moi et un Bois-Brulé, et le Sauvage, disant à moi, "Faites croire au prisonnier qu'il doit descendre au Lac la Pluie. Nous ne pouvons pas le tuer ici parmi les Sauvages. Nous vous attendrons plus loin, et quand vous trouverez un endroit favorable, vous savez ce que vous avez à faire."—Sur quoi il partit. Environ trois quarts d'heures après que les femmes Sauvages eurent finis de gommer le petit canôt, j'ai fait embarquer le prisonnier avec tout son baggage, à l'exception d'une valise et un port-manteau qui furent mis dans le canôt de M. M'Lellan, et environ un quart de lieue de là, la rivière faisant un coud, et M. Keveny ayant demandé de mettre pied à terre pour ses besoins, j'ai dit à Mainville, (le Bois-Brulé) " nous sommes assez loin des Sauvages, tu peux tirer quand il sera proche pour se rembarquer," le Sauvage tenoit le canôt par devant, et moi j'étois aussi à terre. Quand M. Keveny approcha pour s'embarquer, Mainville lui lacha son coup de fusil, dont le contenu lui traversa le cou, et comme j'ai vu que le coup n'étoit pas assez mortel, et que M. Keveny vouloit encore parler, étant tombé en avant sur le canôt, je lui ai passé mon sabre par derrière le dos contre le cœur à deux reprises, afin de terminer ses souffrances. Etant bien mort, ils depouillèrent le cadavre, et le portèrent dans le bois. M'étant rendu au camp de M. M'Lellan, qui, en voyant arrivé le petit canôt, il envoya M. Grant et Cadot, pour me demander si M. Keveny étoit tué.—Ayant répondu qu'*oui*, ils m'informèrent que M. M'Lellan les avoit envoyé pour me donner la direction de dire qu'il n'est pas tué, sur quoi je leur dis, qu'il est tué, et qui je ne le cacherois pas, puisqu'il étoit exécuté par ses ordres. Arrivés au camp, M'Lellan a demandé les details du meurtre, que je lui ai donné comme ci-dessus, et je lui ai remis sa tente, son lit, et tout le baggage; il examina tous les papiers pendant la nuit, brûlant les uns et gardant les autres, et le reste il remit à ma discretion: j'ai distribué entre les Bois-Brulés quelques habillements portés. M. Grant deman-

part, mais tous fut laissé en cache pour le retour du Lac la Pluie. Nous arrivâmes le 13 Septembre au soir, au Fort Lac la Pluie, où trouvant que le fort n'étoit pas occupé par le parti de Lord Selkirk, M. M'Lellan proposa de se rendre au Fort William pour obtenir des intelligences, ce qui ayant été refusé par les Bois-Brulés, il me proposa d'y descendre dans un petit canôt avec deux ou trois Canadiens, mais Mr. Dease ayant sa famille au fort, demanda et obtint d'y aller à ma place. M. M'Lellan partit pour le Bas de la Rivière, le dix-sept, et moi j'étois pour rester au Lac la Pluie jusqu'au retour de Mr. Dease; le 2^{de} Octobre de grand matin j'ai reçu une lettre du Capitaine D'Orsonnens, qui avoit appris par les Sauvages, que j'étois là, il m'avertissoit de ne pas fuir de l'endroit, qu'il avoit absolument à me parler concernant les affaires de la Rivière Rouge, m'envoyant en même temps une copie de la proclamation du Gouvernement. Capitaine D'Orsonnens étant arrivé sur les deux heures avec Mr. Dease, et m'ayant expliqué les circonstances des deux Compagnies, et que ceux du N. W. qui étoit à la Rivière Rouge seroit considéré comme rebelles au Gouvernement, s'il persistoit dans leur conduite, je fus des plus surpris de cette nouvelle, et surtout fremit d'horreur au crime affreux, auquel ces Messrs. de N. W. m'avoit fait participer, peu de jours auparavant sur la personne de M. Keveny.—Ayant cru jusqu'à ce moment là m'être conformé aux vœux du Gouvernement—sur quoi je me rendis prisonnier au Capitaine D'Orsonnens, et lui donnois tous les détails ci-dessus.

Fort William, le 28 Octobre, 1816.

(Signed)

C. de REINHARD*,
Commis de la Compagnie
de Nord-Ouest.

Before Thomas Earl of Selkirk, one of his Majesty's justices assigned to keep the peace in the western district of Upper Canada, and also in the Indian Territories or parts of America not within the Province of Upper or Lower Canada, appeared Charles Reinhard, charged with the crime of murder, who, being examined, confessed that he had assisted in murdering Mr. Owen Keveny, and gave in the

* Reinhard is a native of the Tyrol.—He had been long in the regiment De Meuron, in which he was a pay and colour serjeant, and was highly esteemed by his officers.—It has not been thought necessary to add a translation to his Confession, above inserted, as the substance of it is given in the account of Mr. Keveney's deposition in the Observations, page 160.

annexed statement, written with his own hand, on the seven preceding pages, and signed with his name, declaring that the same contained a true account of the transaction, and of the reason by which he was misled to participate in such a crime.

(Signed)

C. REINHARD,
Commis de la Compagnie
du Nord-Ouest.

Declared before me, at Fort William,
on the 3rd day of November, 1816.

(Signed)

SELKIRK, J. P.

In presence of

J. MATTHEY, Capt. late D. M. Regt.

JOHN WILLIAM DEASE,

JOHN ALLAN,

ALEX. BRIDFORD BECHER.

} *Witnesses.*

[H. H.]

Deposition of Baptiste La Pointe.

BEFORE Thomas Earl of Selkirk, one of his Majesty's justices assigned to keep the peace in the Upper Province of Canada, and the Indian Territories, and parts of America, appeared Baptiste La Pointe, of the parish of l'Assomption, who being duly sworn upon the Holy Evangelists, declares,

Que cet été, il partit du Lac la Pluie dans le canôt de Mr. M'Donell, (dit les cheveux blonds) entrant en hivernement pour la Rivière Rouge; arrivés à la Pointe aux Pins, ils rencontrèrent cinq Bois-Brulés, dans deux petits canôts Indiens, avec un homme ayant les fers aux mains, les poignets enflés, et on l'appelloit Keveny; les Bois-Brulés dirent qu'il étoit prisonnier pour avoir tué deux ou trois de ses gens. Monsieur M'Donell ordonna au déposant et à Hubert Faye de prendre charge de M. Keveny avec un Sauvage nommé Josè, comme guide, pour se rendre au Lac la Pluie. Après neuf jours dont plusieurs de degrat, ils rencontrèrent en deçà du Portage du Rat, Monsieur Stuart, et le bourgeois de la Rivière aux Anglois, Mr. Thompson, qui leur dirent de retourner sur leurs pas.—Leur petit canôt ne pouvant suivre la brigade ils furent obligés de mettre à terre. Le Sauvage qui dès le commencement avoit fait les mouvemens de tuer Mr. Keveny, en se mettant en joue, et disant "*Monsieur M'Donell—pouf*"—fut plus exasperé de ce contre tems, et de ce que le déposant et Faye l'avoient empêché de tuer Mr. Keveny, à plusieurs reprises, mit le canôt en pièces à coup d'aviron. — Sa charge fut de ramener le Sauvage en canot de

embarquèrent, laissant Mr. Keveny sur le rivage, et ils partirent pour se rendre au Bas de la Rivière. Après avoir marché jusqu'au soir—le Sauvage, après avoir voulu tuer le déposant et Faye, se separa d'eux, et le canôt ayant disparu par un remoux, ils restèrent dans cet endroit quatre jours, au bout desquels arriva un canôt avec Monsieur Arché (M^r Lellan) Monsieur Cadot, Monsieur Reinhard, et cinq ou six Bois-Brulés, ainsi que le Sauvage José, assis sur le devant du canôt, et recouvert d'une cloque Ecossaise. Après plusieurs questions concernant le Sauvage et le prisonnier, et le déposant ayant informé Monsieur Arché, qu'ils s'étoient separés parce que le Sauvage avoit voulu tuer Mr. Keveny, et en avoit été empêché par le déposant et son compagnon, en vengeance de quoi le Sauvage avoit aussi eu dessein de les tuer, ils s'étoient en consequence battus et separés de lui.—Sui quoi M. Cadot traita le déposant et son compagnon de "Sacres Salots" pour avoir empêché au Sauvage de faire ce qu'on lui avoit ordonné de faire; M. Arché étant débarqué dans ce moment, donna des coups de perche d'abord à Faye, et ensuite au déposant, qui en a encore le bras gauche foible. Ayant eu ordre d'embarquer dans le canôt, ils arrivèrent le même jour, ou le lendemain, à l'endroit où ils avoient laissé Mr. Keveny, qui n'y étoit plus, mais il fut trouvé à quatre ou cinq lieues plus en deçà, parmi des Sauvages.—Après quelque conversation entre M. Keveny et ceux de leur canotée, M. Arché ordonna d'embarquer, et le canôt partit, laissant en arrière le Sauvage José, M. Reinhard, le Bois-Brulé Mainville, et M. Keveny. Ayant campé trois lieues en deçà, ils virent venir le petit canôt, qu'ils s'étoient procurés des Sauvages, et comme il ne contenoit que trois personnes, les Bois-Brulés dirent qu'ils avoient enfin tué M. Keveny, ce que Mainville leur confirma en arrivant, disant que la balle lui avoit passé dans le col, et un coup de poignard dans le dos, et qu'il étoit tombé par dessus le canôt. Le déposant a vu le canôt couvert de sang, les habits que portoit M. Keveny ensanglantés, et transpercés de coups de poignards, et d'un trou de balle; le Sauvage a lavé l'habillement; et on en a fait un partage. La tente, des bottes, et autres effets ont été pris en cache.—M. Arché ayant pris sous ses soins trois ou quatre petites cassettes et écritaires, contenant beaucoup de papiers qu'il fut occupé, partie de la nuit, à lire et à brûler, et le lendemain il eut la même revision des papiers, jettant à l'eau, lestés avec des pierres, ceux qui lui étoient inutiles. Ayant fini, M. Arché félicita les Bois-Brulés d'avoir détruit cet homme là, qui, s'il étoit allé à la Rivière Rouge, avoit le pouvoir d'y amener de la troupe, et de les faire tuer tous. Le déposant ajoute qu'il a eu l'habit de M. Keveny en sa possession jusques au Lac la Pluie, où

quelqu'un l'a subtilisé hors de sa poche. Il a entendu M. Arché proposer aux Bois-Brulés de descendre pour reprendre le Fort William, avec des Sauvages, mais n'ayant eu que trois adhérens, ils repartirent pour le bas de la Rivière.

His
BAPTISTE + LA POINTE,
Mark.

Sworn at Fort William, the
21st of October, 1816.

(Signed)

SELKIRK, J. P.

[TRANSLATION.]

THAT he, (Baptiste La Pointe) set out last summer from Lake la Pluie in the canoe of Mr. M'Donell, (called the fair haired) who was then going to winter at Red River. When they arrived at Pine Point, they met five Bois-Brulés in two small canoes, with a man whom they called Keveney, in handcuffs, and with his wrists swelled, and who, the Bois-Brulés said, had been made a prisoner because he had killed two or three of his people. Mr. M'Donell ordered the deponent and Hubert Faye to take charge of Mr. Keveney, with an Indian, named Joseph, as a guide to go to Lake la Pluie. After nine days of travelling, including stoppages, they met on this side of the Rat Portage, Mr. Stuart, and the English River partner, Mr. Thompson, who told them to return back again. Their little canoe not being able to keep up with the brigade, they were obliged to land. The Indian, who from the first had attempted to kill Mr. Keveney, levelling his piece, and saying, "*Mr. M'Donell—puff,*" was so much exasperated at this disappointment, and also because the deponent and Faye had at different times prevented him killing Mr. Keveney, that he knocked the canoe to pieces with a paddle. Being now without a canoe, the Indian bought another for a blanket, in which he embarked with the deponent and Faye, leaving Mr. Keveney on the shore. They then set out for Bas de la Riviere, and after proceeding till night, the Indian who had attempted to kill both the deponent and Faye, left them; and the Canadians having lost their canoe, remained in that place four days; at the end of which time a canoe arrived with Mr. Archibald (M'Lellan), Mr. Cadot, Mr. Reinhard, and five or six Bois-Brulés, together with the Indian, Joseph, sitting on the front of the canoe, wrapped in a Scotch plaid. After several questions about the Indian and the prisoner, the deponent having informed Mr. Archibald, that they had parted because the Indian wanted to kill Mr. Keveney, and had been prevented by the deponent and his companion; and that in revenge he had wanted to kill them, when they fought and separated. On this Mr. Cadot called him and his companion "*Sacres Salots,*" for having prevented the Indian from doing what he was ordered. Mr. Archibald having come on shore at

that moment, took the pole of the canoe, and beat Faye and the deponent, whose left arm is still weak from the blows. Being ordered to embark in the canoe, they arrived the same day, or the next, at the place where they had left Mr. Keveney, who was no longer there. They found him, however, four or five leagues further on, among some Indians. After some conversation between Mr. Keveney and some of his people, Mr. Archibald ordered them to embark, and the canoe set out, leaving behind, the Indian Joseph, Mr. Reinhard, the Bois-Brulé Mainville, and Mr. Keveney. Having encamped three leagues further on, they saw the small canoe approaching which had been bought from the Indians; and as there were only three persons then in it, the Bois-Brulés said they had at last killed Mr. Keveney, which Mainville confirmed when he arrived, saying that the bullet had passed through his neck, and that he had been stabbed in the back, and had fallen upon the canoe. The deponent saw the canoe covered with blood, and the clothes that Mr. Keveney had on, bloody, and pierced by a sword and a bullet. The Indian washed the clothes, and they divided them. The tent, boots, and other effects were left concealed.—Mr. Archibald having taken possession of two or three small boxes and desks containing a number of papers, he was employed a part of the night in reading and burning them. The next day he continued the same examination of papers, throwing into the water with stones wrapped up in them, those he found useless. Having finished, he congratulated the Bois-Brulés on having destroyed that man, who, he said, if he had got to Red River, had the power of bringing a force there, and have killed them all. The deponent adds, that he had Mr. Keveney's coat in his possession till he came to Lake la Pluie, where some one stole it out of his pocket. He heard Mr. Archibald propose to the Bois-Brulés to go down to re-take Fort William with the Indians; but having only three adherents, they set out again for Bas de la Rivière.

His

BAPTISTE + LA POINTE.
Mark.

Sworn at Fort William, the
21st of October, 1816.

(Signed)

SELKIRK, J. P.

[I. I.]

Deposition of Hubert Faye.

BEFORE Thomas Earl of Selkirk, one of His Majesty's Justices assigned to keep the peace in the Upper Province of Canada, and the Indian Territories, and parts of America, —appeared Hubert Faye, de la paroisse de La Prairie, who being duly sworn upon the Holy Evangelists, declares,

Que sur la fin de cet été il partit de Lac la Pluie dans le canôt de M. Cadot, en compagnie d'un autre canôt, monté par le bourgeois M'Donell, pour se rendre au Bas de la Rivière. Sur midi de la quatrième journée, ils rencontrèrent deux petits canôts, dans lesquels se sont trouvés cinq Bois-Brulés, et un Monsieur de bonne mine, prisonnier, ayant les fers aux mains, pour avoir (disoit les Bois-Brulés) tué trois hommes.—Après de longues conférences entre eux, M. M'Donell commanda au deposant, La Pointe, et un Sauvage, d'embarquer dans un des petits canôts des Bois-Brulés, en charge du prisonnier qu'on nommoit M. Keveney. Le Sauvage se nommoit Joseph, et doit être le fils de la *Perdrix Blanche*. Etant parti de cet endroit nommé la Pointe aux Pins, le Sauvage demanda au deposant, deux nuits consecutifs, d'assister à tuer le prisonnier dans sa tente. Le deposant lui dit "*tuer est pas bon,*" sur quoi le Sauvage repondit "*Mons. M'Donell dira, 'c'est bon.'*"—La cinquième journée après avoir quitté la Pointe aux Pins, ils rencontrèrent, au soleil levant, les canôts de Mr. Stuart, Thompson, et M. Ferries, qui après quelque conversation dirent au deposant qu'il pouvoit retourner, qu'aucun canôt ne descendroit du Lac la Pluie.—Le vent étant fort, ils mirent à terre, et après avoir gommé leur canôt, ils marchèrent le lendemain. Le Sauvage cette nuit avoit fait plusieurs efforts pour tuer l'Anglois, à quoi le deposant et son camarade s'opposèrent constamment; et s'étant rembarqués les deux Canadiens et le Sauvage pour se procurer des vivres, le Sauvage ne voulut pas permettre qu'ils rembarquassent M. Keveney qui étoit resté sur la grève, et comme c'étoit le passage des canôts ils le laissèrent là.—Après six à sept jours de marche et de degrats, pendant lesquels le Sauvage et La Pointe eurent dispute, le Sauvage se sauva parce que le deposant lui avoit ôté son fusil dont il vouloit tuer La Pointe.—Le canôt de M. Arché (M'Lellan) avec M. Grant, M. Cadot, M. Reinhard et sept Bois-Brulés, arriva; et M. Cadot trouva à redire au deposant de n'avoir pas laissé tué l'Anglois par le Sauvage.—Sur quoi M'Arché sortit du canôt, et frappa le deposant avec une perche, pour avoir pris le fusil du Sauvage.—M. Arché nous fit embarquer, et demanda où étoit le prisonnier, ce que le deposant ne put lui dire, étant écarté.—Arrivé à l'endroit où M. Keveney avoit été laissé, il ne s'y trouva plus, et ce n'est qu'au Haut des Dalles, à cinq ou six lieues de là, qu'on le trouva dans sa tente.—Après quelque consultation M. Arché traita un petit canôt pour du rum, et on repartit de suite, laissant en arrière le Sauvage Joseph, Mr. Reinhard, le Bois-Brulé Mainville, et M. Keveney.—

Ayant fait quelques lieues de chemin, et demi heure après avoir débarqués, ils entendirent un coup de fusil, sur quoi Desmarais s'exclama—" *Ah le chien, je parie qu'il a tué le prisonnier.*"—Quand le canôt tournoit la pointe, M. Arché, M. Cadot, M. Grant, et d'autres accoururent et demandèrent,—"*s'ils l'avoient tué ?*"—A quoi une réponse affirmative.—Mainville dit ensuite au déposant, qu'il avoit tiré son coup de fusil au prisonnier dans le col, et que le Sergeant Reinhard lui avoit donné des coups de sabre.—Le déposant a vu les habillements que portoit auparavant M. Keveney, couverts de sang, percé de coups de sabres et d'une balle dans le collet.—Le Sauvage et les Bois-Brulés lavèrent les vêtemens, et voulurent en faire le partage quand Reinhard le leur prit et mit le tout dans un coffre.—M. Arché prit soin des papiers, qui étoient dans plusieurs petits caisses et bureaux qui furent laissés dans le bois avec la tente, le lit, et le reste du butin du prisonnier.—Une partie de la nuit fut employé par M. Arché et ces autres Messieurs qui savent lire, à reviser et lire ces papiers, qu'ils brûloient à mesure.—Le lendemain dans le canôt il eut la même occupation, et coulant à fond les papiers au moyen des pierres enveloppés dedans.—M. Arché dit aux Bois-Brulés, que c'étoit bien avantageux d'avoir empêché à cet homme là de se rendre au Fort William, où il auroit pu les ruiner tous.

His
HUBERT + FAYE,
Mark.

Sworn at Fort William, the
21st day of October, 1816.
(Signed)

SELKIRK, J. P.

[TRANSLATION.]

THAT about the end of this summer, he, Hubert Faye, set out from Lake la Pluie in Mr. Cadot's canoe, in company with another, in which was the partner M'Donell, to go to Bas de la Rivière.—About the middle of the fourth day's journey, they met two small canoes, in which were five Bois-Brulés, and a gentleman of good appearance, as prisoner, who was handcuffed, and who, the Bois-Brulés said, had killed three men. After a long conference, Mr. M'Donell ordered the deponent, and La Pointe, and an Indian, to embark in one of these little canoes, and take charge of the prisoner, whom they called Mr. Keveney,—The Indian was named Joseph, the son of the *White Partridge*.—Having set out from Pine Point, the Indian asked the

deponent, in the two following nights, to help him to kill the prisoner in his tent.—The deponent said, “To kill is not good;” —to which the Indian answered, “Mr. M'Donell will say, *It is good.*” The fifth day after they left Pine Point, they met at sun-rise the canoes of Messrs. Stuart, Thompson, and Ferries, who, after some conversation, said to the deponent, that he must return, as no canoe was to go from Lake la Pluie.—The wind being violent, they went ashore, and after having gummed their canoe, they proceeded in the morning, the Indian having made several attempts in the night-time to kill the Englishman, which the deponent and his companion constantly opposed;—and the two Canadians and the Indian having re-embarked to procure provisions, the Indian would not permit Mr. Keveney to come on board, who therefore remained on the beach; and, as it was the place where canoes passed, they left him there.—After six or seven day's march and stoppages, during which the Indian and La Pointe had a quarrel, the Indian went off, because the deponent took away his gun, with which he wanted to kill La Pointe.—Mr. Archibald (M'Lellan,) with Mr. Grant, Mr. Cadot, Mr. Reinhard, and seven Bois-Brulés arrived; and Mr. Cadot found fault with the deponent for not having allowed the Indian to kill the Englishman, upon which Mr. Archibald got out of the canoe and struck the deponent with a pole for having taken the Indian's gun.—Mr. Archibald then made us embark, and asked where the prisoner was; which the deponent could not tell him, as they had missed their way.—When they arrived at the spot where Mr. Keveney had been left, he was not to be found; but when they reached the Haut des Dalles, about five or six leagues further on, they found him in his tent.—After some consultation Mr. Archibald bought a small canoe, for some rum, and proceeded, leaving behind Joseph, Mr. Reinhard, the Bois-Brulé Mainville, and Mr. Keveney.—Having advanced some leagues, and about half an hour after they had gone ashore, they heard the report of a gun; upon which Desmarais exclaimed, “Ah, the dog—I'll wager that he has killed the prisoner.”—When the canoe turned the point, Mr. Archibald, Mr. Cadot, Mr. Grant, and others, ran and asked, “if they had killed him?”—upon which an answer was given in the affirmative.—Mainville then said to the deponent, that he had shot the prisoner in the neck, and that Serjeant Reinhard had stabbed him with his sword.—The deponent saw the clothes which Mr. Keveney had worn, covered with blood, pierced with the sword, and with a bullet through the collar.—The Indian and the Bois-Brulés washed the clothes, and wanted to divide them, when Reinhard took them, and put the whole in a trunk. Mr. Archibald took care of the papers which were in several little boxes and desks, and which were left in the woods, with the tent, the bed, and other property of the prisoner.—A part of the night was employed by Mr. Archibald and the other gentlemen who could read, in examining these papers, which they burnt after reading them. Next

day he was similarly employed in the canoe, sinking the papers by wrapping stones in them. Mr. Archibald told the Bois-Brûlés, that it was very fortunate they had prevented that man from getting to Fort William, where he might have ruined them all.

His
HUBERT + PAYE,
Mark.

Sworn at Fort William, the
21st day of October, 1816.
(Signed)

SELKIRK, J. P.

[K. K.]

Account of the Transactions at Fort William, on Lake Superior, in August 1816, by Mr. Fauche, late Lieutenant of the Regiment De Meuron.

IN the month of May 1816, orders arrived in Canada for the reduction of the Regiment De Meuron, in which I was a lieutenant.—His Excellency the Administrator-in-chief, on communicating the same to the colonel of the regiment, acquainted him with the advantages held out by his Majesty's government to the officers and men who would wish to remain and settle in that country. The Earl of Selkirk was then at Montreal; and as his Lordship wished to obtain a number of efficient settlers for his colony at the Red River, he agreed with several of the officers and privates to accompany him for the purpose of settling there. His Lordship was very particular in his choice of the men, as none but those of the best character, and who knew some of the requisite and useful trades for the settlement would be accepted. Engagements accordingly were entered into between them and the Earl of Selkirk, who agreed to give the officers and men a portion of land. In addition to this the men were to receive agricultural implements, and to be paid at the rate of eight dollars per month for working the boats to their destination. His Lordship further agreed that if the men on their arrival at the settlement, should not wish to remain there, they should be sent back at his Lordship's expence to Montreal, or to Europe, by the ships from Hudson's Bay.

On the 4th of June, 1816, three officers, myself being the

fourth, and about eighty men, left Montreal and proceeded to Kingston in Upper Canada. The Watteville Regiment had been stationed at the latter place, and was also under orders to be disbanded. Twenty of that corps were engaged by Captain Matthey, in the name and on behalf of the Earl of Selkirk, upon the same conditions with those of the Regiment De Meuron.

After having made the necessary arrangements for our voyage at Kingston, we proceeded along Lake Ontario to York, and from thence to Lake Simcoe and Lake Huron, where we were joined by the Earl of Selkirk, who had remained several days after us at Montreal. We proceeded with his Lordship towards the Sault St. Mary's—about thirty miles from which is situated Drummond's Island, to which place his Lordship went, we continuing our route to the Sault, where we remained a few miles above the Rapid. A guard of one serjeant and seven men had been granted for his Lordship's protection by the Governor of Canada; and it was from Drummond's Island that they were to accompany him, it being the last garrison of the British dominions in that quarter. Lord Selkirk joined us at the Sault St. Mary's, and we had hardly left that place, when we perceived two canoes, in one of which was Mr. Miles Macdonell, who brought the dismal intelligence of the complete destruction of the colony.

After this information Lord Selkirk did not proceed to the Fond du Lac, as was first intended, but went to Fort William for the purpose of obtaining intelligence as to the affair at the Red River. His Lordship applied to Mr. Askin and Mr. Ermatinger, two magistrates, to accompany him, but the private affairs of these two gentlemen prevented them.

We arrived at Fort William on the 12th of August, and pitched our tents on the opposite side of the river about half a mile from the Fort. On the same day the Earl of Selkirk sent Captain D'Orsonnens with a letter to Mr. M'Gillivray, (the principal Agent of the North-West Company at Fort William) requesting him to release several people who had been present at the affair of the Red River, from their confinement, but Mr. M'Gillivray did not admit that they had been arrested, and they came over to us immediately afterwards.

The Earl of Selkirk was engaged the rest of the day in taking evidence from those people, and he issued a warrant on the 13th against Mr. M'Gillivray, who immediately came over to his Lordship's tent with two other partners, one, Kenneth

M'Kenzie, the other — M'Laughlin, whom he brought as bail, but, charges being also preferred against those two gentlemen, they were likewise made prisoners. After his Lordship had been engaged some time with Mr. M'Gillivray, he determined on arresting the other partners who were still in the Fort, and accordingly sent over the constable with warrants accompanied by about twenty-five men, with Captain D'Orsonnens, Mr. Allen, Mr. Becher, and myself. We were distributed in two boats, and arrived shortly at the Fort where the constables landed, being accompanied by all the gentlemen. The men remained in the boats, but as some resistance was apprehended, they were ready to support the constables in the execution of their duty, if required. Between two and three hundred Indians and Canadians, in the North-West Company's service, were standing outside of the gate. The partners who were to be arrested stood in the gate of the fort; and the constables being informed of their names, proceeded in executing the warrants—when one of the Partners, John M'Donald, declared that he would not submit to the warrant, or allow any body to enter the fort until Mr. M'Gillivray was liberated. At the same time the gate was partly shut, and the resistance which was made forced the constable to call for assistance. The men rushed out of the boats with their arms, and soon cleared their way through the gate. They were then ordered to take Mr. M'Donald, who was exceedingly violent, and to conduct him to the boats. The others peaceably submitted to the warrants, and appointed two clerks for the management of their concerns during their absence. The bugle which had sounded when the constables first called for assistance was a signal that resistance was made at the fort, and for the remainder of our party to join us. They accordingly came over, and every thing being, by that time, quiet, they stood outside of the fort.

The prisoners were then sent to his Lordship, who, after having examined them, allowed them to return for the night to their respective apartments in the Fort, upon the condition that they would not attempt any hostilities, to which they pledged their word of honour, and went over to the Fort. We all returned to our encampment, with the exception of twenty men, and Lieutenant de Graffenreid, who remained during the night in the Fort; and his Lordship issued a warrant, ordering the papers of the North-West Company to be sealed.

Though the Partners of the North-West Company had pledged their word of honour, that all should remain as his

Lordship had ordered, we received the intelligence, that a canoe had been sent off during the night, loaded with ammunition and arms, and that many papers had been burnt in the kitchen of the mess-house, by the partners. We found eight barrels of gunpowder lying in a field near the fort, which had also been taken away, during the night, out of the powder magazine. We also found, in a barn among some hay, about fifty stand of guns, which were apparently fresh loaded and primed.

From these discoveries, it was suspected that a surprise would be attempted by the Canadian servants and the Indians in the North-West Company's employment; and most of them, therefore, were sent to the other side of the river. Their canoes, also, were secured within the fort. The prisoners were more strictly guarded, and as no reliance could be put on their word of honour, they were taken to a separate building, and guarded as close prisoners. His Lordship ordered our tents to be removed, and pitched in front of the fort, that we might be better able to repulse a sudden attack, if attempted by the North-West Company. After having taken all necessary measures for our own security, Lord Selkirk proceeded with the examination of the prisoners, the criminality of whom appeared to his Lordship to be such as to justify him in sending them under an escort to York, in Upper Canada. He requested that I would take charge of the prisoners, and escort them safely to their destination. We set out on the 18th of August, in three canoes, provided with every thing which I thought necessary for our voyage. We proceeded along Lake Superior, and, about a week after our departure, we had the misfortune to lose one of our canoes. As this has been imputed to my insisting upon, and forcing the embarkation of the party that day, I trust that the following account will be sufficient to justify my proceedings.

In the morning of the 26th of August, we proceeded, with a light breeze, and stopped, as usual, to take our dinner at one o'clock, at an island about fifteen miles from the Sault St. Mary, where we expected to arrive the same evening. During our dinner the wind increased, but, being at the lee side of the island, we did not feel its violence. Mr. M'Gillivray, who had upwards of twenty years experience in this navigation, and whom I invariably consulted during our voyage, was, upon this occasion, especially questioned by me; and, on asking whether he thought it dangerous to proceed, he replied that there would not be the least danger, if the guides of the canoes did their duty. Upon this

we left the island, and soon felt the violence of the wind, which increased every moment. It was too late to put back, and the wind being west, and consequently fair, we proceeded under close reefed sails, and steered for the first point of land. But, having taken in a good deal of water, we thought of steering towards a small island which lay on our left, in order to save ourselves if possible. On arriving near this island, one of our canoes upset on the shoals; and unfortunately, notwithstanding all the efforts made by the other two canoes, nine people were lost out of twenty-one, among whom was Mr. Kenneth Mackenzie, one serjeant, and one man of our late Regiment De Meuron, and six more, Indians in the service of the North-West Company. We succeeded in landing at this island, and, after having lightened our canoes by taking out the baggage, we went out again, to save, if possible, some more of our unfortunate people. We soon reached the place where the canoe was wrecked, but could not find any body. The canoe was dashed to pieces, but we succeeded in saving a few trunks which were afloat. Some time after the accident, we went in search of the bodies, and found, near the island, that of Mr. K. M'Kenzie. Every possible measure was taken to restore him to life, but without success. We also found the bodies of the serjeant, and of several Indians, whom we buried in the island. The following day we departed from the island, with the body of Mr. M'Kenzie, assisted by some of the neighbouring Indians, and arrived shortly at the Sault St. Mary's, where Mr. M'Kenzie was buried.

After the foregoing statement, will it be believed that I was the principal cause of this unfortunate accident? Is it probable that I would have exposed myself to so great danger, if I had in the least anticipated it? Or could I have had any reason for exposing Captain de Lorimier, a friend, who was the only person whom I could trust in that disagreeable voyage? He was in the canoe that upset, and fortunately escaped the fury of the waves. It is unnecessary further to defend myself, as I have sufficient witnesses to testify that I consulted Mr. M'Gillivray, and followed his advice.

After we had buried the body of Mr. Kenneth M'Kenzie, we left the Sault St. Mary's accompanied by Mr. Rochblave, a partner of the North-West Company, who by taking his own canoe, enabled us to proceed with the people who had been saved. On the 3rd of September we arrived at York, the capital of Upper Canada. On inquiring after the Attorney-General, I was informed that he had gone on

his circuit to Kingston, and that I would find him there, or at Brockville. I was advised by the magistrates of York, and by several other persons, to proceed to these places; in consequence of which we left York on the following day, and at Kingston we were informed that the Attorney-General was at Brockville. We soon arrived at that place, where I hoped to be unburdened from so disagreeable a charge; but the prisoners having applied for a Writ of Habeas Corpus, I was charged to convey them to Montreal, where we arrived on the 10th of September, and where the prisoners were all admitted to bail.

Private affairs having called me to England, I left Montreal in the beginning of November last; and it is after having read a Publication by the North-West Company, entitled "A Narrative of Occurrences in the Indian Countries of North America," that I make this true Statement, which I hope will take away the unfavourable opinion which the injurious publication of the North-West Company may have made on the Public.

Nothing can exceed the malignity of the allusions which are levelled by the North-West Company at the character of the late Regiment De Meuron, some of whom chose to accompany the Earl of Selkirk. They are called worthless plunderers and deserters from Buonaparte's armies in Spain, from whence the North-West Company assert they were sent to America. This shews completely how little regard they have for the feelings of others, and what a change there is in their opinions as soon as their interest is concerned. The officers of the Regiment De Meuron have always been admitted in society in Canada, and especially at Montreal, where the Agents and other persons connected with the North-West Company form a great part of it.—We have received attentions from the latter without the least reflection having been cast on our characters,—but as soon as we agreed to become settlers with the Earl of Selkirk, we were accused, as before-mentioned, of the grossest misconduct.

The officers of De Meuron's Regiment had been induced (after a mature consideration of the Hudson's Bay Charter, which the Earl of Selkirk was pleased to submit to our notice, and which appeared to us unexceptionable, particularly as it had received the sanction of the most eminent Counsel in England) to accept his offers to become settlers in his colony at the Red River. I feel it, therefore, a duty incumbent on me as one of the officers of that Regiment, to contradict those assertions so injurious to

the character of men who for many years, have most honourably and faithfully served his Majesty; and who, on the reduction of the Regiment, had agreed to accompany the Earl of Selkirk, not for the purpose (as has been falsely stated) to be employed by his Lordship in a military expedition, (though the men must have had a warlike appearance from wearing the new cloathing issued to them from the regimental stores) and to commit hostilities and depredations on British subjects—but for the purpose of becoming useful members of his Lordship's Settlement.

With respect to the late Regiment De Meuron being called plunderers and deserters from Buonaparte's armies in Spain, it is well known that in 1809, when the regiment was at Gibraltar, his Majesty's Government authorised that all the Germans and Piedmontese whom the conscription had forced to enter Buonaparte's armies, from which they escaped as soon as an opportunity offered, should be enlisted in his Majesty's service, in consequence of which many came over and received the regular bounty. The regiment went the same year to Malta, where it remained till 1813, when it was ordered to North America. On its departure from the island, his Excellency Lieutenant-General Oakes, the Governor, issued the following Garrison Order:—

GARRISON ORDER.

Malta, May 4, 1813.

“ Lieutenant-General Oakes cannot suffer the Regiment De Meuron to quit this garrison where they have so long been stationed under his command, without assuring them of the satisfaction which their good conduct and attention to military discipline have constantly afforded him, and which have been equally conspicuous in every rank. They will embark from hence as fine and well appointed a regiment as any in his Majesty's service.

“ The Lieutenant-General has no doubt but by their conduct and gallantry, on the desirable service on which they are about to be employed, they will confirm the high opinion he has formed of them, and will equally merit the praise and approbation of the General under whose orders they will soon be placed, to whom he shall not fail justly to set forth their merits.

“ He begs leave to assure the regiment of his warmest wishes for their glory and success, and of the sincere interest he shall ever take in their welfare.

(Signed)

“ P. ANDERSON,

“ Deputy Adj.-Gen.”

When the regiment was finally disbanded in Canada, his Excellency Sir John Sherbrooke issued also a Garrison Order which would do honour to any regiment.

GARRISON ORDER.

*D. A. G. Office,
Quebec, July 26, 1816.*

" In parting with the Regiments De Meuron and Watteville, both of which corps his Excellency has had the good fortune of having had under his command in other parts of the world, Sir John Sherbrooke desires Lieutenant-Colonel De Meuron and Lieutenant-Colonel May, and the officers and men of those corps will accept his congratulations on having by their conduct in the Canadas maintained the reputation which they have deservedly acquired by their former services.

" His Excellency can have no hesitation in saying, that his Majesty's service in these provinces has derived important advantages during the late war, from the steadiness, discipline, and efficiency of these corps.

(Signed)

" J. HARVEY, Lt. Col.

" Deputy Adjutant-General."

As it is not to be supposed that any British General would bestow commendations where they are not due, can it be believed that men deserving such praise would be contaminated, and become plunderers, from accompanying an English Nobleman, and wishing to become settlers under the protection of a Government whom they had learned to appreciate during the time they served it? The North-West Company also accuse the men of being drunk on the day they entered Fort William. This, I declare to be false, as not a man of them was, in the slightest degree, intoxicated, or had the means of being so. Indeed, I may only refer to Messrs. Brumby and Misani's Declaration to ask, whether it is probable that they would have omitted so strong a charge against the Earl of Selkirk and his party, and whether the North-West Company, under whose influence they made their Deposition, would have neglected to make them corroborate what was so maliciously stated for the purpose of defaming my brother officers and myself, and the men of our late regiment then with us at Fort William.

(Signed)

G. A. FAUCHE,
Late Lieutenant De Meuron's Regiment,

4, Queen Square, Westminster.

June 24th, 1817.

[L. L.]

Narrative of Mr. John M'Nabb.

I ARRIVED at Fort William, in company with twelve boats or batteaux, in which were two captains, two lieutenants, with about one hundred men, late of the regiment of Meuron*. We pitched our tents about a mile above the fort, where we found the encampment of Earl Selkirk, with a body guard of six men, and one non-commissioned officer of the 87th regiment, from Drummond's Island, and Captain Lorimier, with an Indian Chief, from Cockenewaga, in Lower Canada.

Early the 13th of August, his Lordship communicated his intention to me, of appointing me, in company with Mr. M'Pherson, to execute a warrant for arresting William M'Gillivray, Esq. agent of the North-West Company. In the afternoon we proceeded to the execution of our office, in a batteau, with nine men, who had arms concealed in the vessel. On arriving opposite the gate, we landed, and proceeded into the fort, through a number of men, in and about the entry: the most part of our companions followed without their arms, and stood in the gateway. Calling for Mr. M'Gillivray, we were desired to enter his apartment, when the warrant was instantly served. He acted as a gentleman, read the warrant, and immediately prepared for accompanying us, at the same time requiring time to converse with two of his partners (Mr. Kenneth M'Kenzie, and Mr. John M'Laughlin), the purport of their conversation was, that they should accompany him to the Earl's tent, and become bail. This was assented to, and, after he had finished a letter he had been interrupted in writing, the three gentlemen accompanied us, in a canoe of their own, by their joint desire. Soon after their arrival, his Lordship desired that I and my above companion in office, should proceed and arrest Mr. Kenneth M'Kenzie and Mr. John M'Laughlin. This done, we were desired to proceed again to the fort, in company with Captain D'Orsonnens, Lieutenant Fauche, and about twenty-five men, late of the Meuron regiment, to arrest the other partners in the fort. We landed, and proceeded to the gate, as before, where several of the proprietors were standing, and a number of men,

* There were eighty of the De Meuron, and twenty of the De Watteville Regiments.

(their servants) and many Indians, were assembled. The warrant was served on two of the gentlemen, but, on approaching the third, resistance was actually made, and a declaration uttered, that no further submission would be given to the execution of my duty, till Mr. M'Gillivray was given up. In consequence, I was nearly shut out of the fort, by attempts to close one leaf of the gates. Mr. M'Pherson was, also, in the same predicament. At this moment I expressed the necessity of support to Captain D'Orsonnens, who, with much alacrity, aided by several of his men, instantly rushed in, and prevented the gate from being closed. The Captain ordered the resister to be seized, and put on board one of the boats. Mr. M'Pherson and I then advanced into the fort, assisted by Lieutenant Fauche. Captain D'Orsonnens quickly followed, with the rest of the men, who were all armed. They ran forward, and, in a moment, took possession of two small cannon that were placed in the court within the gate. The Canadians then dispersed on all sides, and no further signs of resistance were made. We then proceeded to the regular execution of our duty, by the arrest of the other gentlemen named in the warrant. The number of the men in the fort was (by report) upwards of two hundred, and many Indians. When signs of resistance occurred at the gate, the bugle was sounded, upon which Captain Matthey, and the rest of our men, instantly left our encampment, and were soon at the fort also. Much praise is due to Captain D'Orsonnens, for his cool and determined conduct. Lieutenant Fauche co-operated with the most laudable zeal and correctness, and the men behaved with the most exemplary propriety. Captain D'Orsonnens and Mr. Allan remained at the fort, to execute another warrant, which had been issued, to search for, and secure, the papers of the persons arrested, for the safety of which a guard was left in the fort, and centries about the places which were supposed necessary.

The gentlemen, Mr. Alexander M'Kenzie, John M'Donald, Hugh M'Gillis, Simon Fraser, Daniel M'Kenzie, and Allan M'Donald, being thus compelled to submit to the warrant, accompanied me in two canoes to Earl Selkirk's encampment, and, after remaining a short time in his Lordship's tent, were all permitted to retire to their own quarters in the fort, and were left at large, promising, on their word of honour, that no attempts of resistance should be made, nor any hostile measures countenanced or permitted. In consequence, however, of information, obtained early next morning, of clandestine preparations of hostility, carried on

during the night, a warrant was issued out by the Earl Selkirk, for a search for arms, and, in executing this, four cases of guns, eight or more in each, and forty fowling-pieces, loose, loaded and primed, were found in a hay-loft, or barn, concealed: by every appearance, this had been done during the course of the night. Information was also obtained, that eight, or more, barrels of gunpowder had been secretly sent out of the fort. Further, that a canoe had been sent away, with powder and guns, from the fort, during the night. In consequence of these discoveries, the Earl judged it necessary to take more effectual precautions for our security. The greatest part of the Canadian voyageurs, at the fort, in the service of the North-West Company, were ordered to remove their tents to the opposite side of the river, and our own encampment was brought over, and formed immediately before the gate of the fort, in which also additional centries were placed; and the prisoners, who had broke their parole, were more strictly guarded, but still were left in apartments of their own, notwithstanding that a very good prison was found in the fort.

The forenoon of August 15th, Lieutenant Graffenride, and several men, found the eight barrels of gunpowder above mentioned, being about half a mile from the fort, laying uncovered in a swampy spot, among burnt willows, the indirect path-way among the long grass lately trod down, leading thereto, pointing out the certainty of its having been placed there the previous night.

The same day, Mr. M'Gillivray, Alexander M'Kenzie, Kenneth M'Kenzie, John M'Donald, Hugh M'Gillis, Simon Fraser, John M'Laughlin, and Allan M'Donald, were each respectively called before his Lordship, who previously had desired the attendance of Captains Matthey and Lorimier, Lieutenants Mesani and Brumby, Mr. Becher, and myself, seated with his Lordship; during the time the answers of each individual were given to such questions as were proposed, Messrs. Allan and Spencer noted down their declarations. Previous to the examination, each was given to understand, that it was perfectly optional whether they should answer or not.

(Signed)

JOHN M'NABB.

Fort William, 17th August, 1816.

[M. M.]

Deposition of Alexander Fraser.

District of Montreal, } ALEXANDER FRASER, of
Province of Lower Canada. } River Du Chêne, in the Dis-
 trict of Montreal, blacksmith, being duly sworn, deposeth,
 and saith, That about the spring of the year 1813, he was
 engaged as a blacksmith in the service of the North-West
 Company for the space of three years. That he was shortly
 afterwards sent from La Chine to Fort William, where he
 remained during the whole period of his service, and faith-
 fully performed his duty until the end of his engagement,
 in the spring of 1816. That after his time of service was
 expired, he expressed his desire to return to Montreal, and
 also his wish to receive his account, and to be paid his
 wages: that he was told to continue his work; which he
 refused to do, unless he was paid. That he was then pro-
 mised that he should be paid for his past services, and for
 such other work as he should perform. That, relying on
 this promise, he began a-new to labour in their service, but
 without entering into any engagement for any limited time
 or any specific services, excepting to be paid for such work
 as he should perform, were it more or less.

That, after the arrival at Fort William of one Bourke
 and others, who had been brought thither in the North-
 West canoes, after having escaped the massacre at Red
 River, he was desired by the said Bourke to accompany
 him in a visit to one Châtelain, a person in the service of
 the Earl of Selkirk, who was encamped upon a small island
 at a little distance from Fort William.

That he went accordingly with the said Bourke to see
 Châtelain, and was desired by the said Châtelain to sell him
 some skins of the Original for the purpose of making shoes,
 which Châtelain said his men were much in want of. That
 this deponent had three skins of the Original leather, his own
 private property, which he told Châtelain he would let him
 have. That this circumstance came afterwards to the know-
 ledge of the Honourable William M'Gillivray, who sent a
 man to take up this deponent. That this deponent told the
 man there was no occasion to take him up, that he would
 go voluntarily to the said William M'Gillivray, which he
 in effect did. That, when arrived in the presence of the said
 William M'Gillivray, the latter told the deponent that he
 had been acting treacherously in selling skins to his (M'Gil-

livray's) enemies. That the deponent then replied, that he did not know whose enemies he had been bargaining with, but they were in want of skins, and this deponent had a right to sell his own property, and should deliver the skins he had promised. That the said M'Gillivray then threatened this deponent with imprisonment, if he had any further connection with Châtelain. That he afterwards took the said three skins, and delivered them to the said Châtelain, at a little distance from Fort William. That this circumstance also came afterwards to the knowledge of the said William M'Gillivray, and on the morning following the delivery of the skins, while this deponent was yet in bed he was directed to get up and go to Dr. Maclaughlin, one of the North-West partners; when he came into Dr. Maclaughlin's presence, the Doctor called out to him, "You damned rascal, how 'durst you sell any thing to our enemies? I would hang 'you for a copper." The deponent replied, 'You can't 'hang me for that, it is not so easy done.'—That the Doctor, who possessed great bodily strength, immediately laid his hands on this deponent's shoulders, and pushed him down upon the floor, and gave him several severe blows. That, after this he directed the deponent to be taken to a small square building made of hewn logs, without any light, wherein was a quantity of human excrement. That, after being a short time in this confinement, the stench of the place, and the bruises he had received, made this deponent conceive that if he were kept there much longer his health would be destroyed: and he offered to Mr. Tate, an overseer at Fort William, to work for a year without wages for the North-West Company, if they would let him out. That the said Tate came again to the deponent, and told him that he would not get out by serving the North-West Company for one year, nor for two years; but that if he wished to be set at liberty, he must enter into a new engagement to serve them for three years longer. That this deponent refused to sign any such engagement for some time, hoping to induce them to accept of his services for a shorter space of time; but at length, after having been kept in the square building as a prisoner for ten days, perceiving his health much impaired (which is not yet recovered), and being told that he should be put in irons, he agreed to sign, and did sign an engagement to serve the North-West Company for three years more, and was liberated from confinement. That this deponent was frequently advised and desired, from the time he was first in the service of the North-West Company, and even by several of the partners, to take a Squaw as a wife;

but as he conceived this was wished for, for the purpose of getting him to run in debt to the North-West Company, he had never been prevailed upon to do so.

That shortly after this deponent's liberation from confinement, the Earl of Selkirk arrived in the vicinity of Fort William. That the partners of the North-West Company were afterwards arrested under warrants from the Earl of Selkirk. That the Earl of Selkirk did not immediately after the arrest of the partners take possession of Fort William, but allowed the partners to return to their rooms to pass the night. That this deponent himself saw the said partners during the night busily engaged in examining papers, of which he saw them burn a large quantity. That during the night also a great number of guns were removed from the magazines, in which they were kept usually at Fort William; that they do not commonly keep loaded guns in the magazine; but that the guns removed from thence were found loaded, primed, and ready for use concealed in a hay-loft at Fort William the morning following the arrest of the partners. That barrels of gunpowder were also removed and hidden during the same night.

That this deponent gave immediate information to the Earl of Selkirk of these proceedings, and on the morning of the following day his Lordship, whose men had been previously encamped in an open space of ground opposite the fort, came and took possession of Fort William. That this deponent heard at the time from other engagés of the North-West Company, and firmly believes, that the object for which the said arms and ammunition were concealed, was to effect the rescue of the partners arrested, and to destroy the party of the Earl of Selkirk. And this deponent further upon his oath declares, that he firmly believes, from his knowledge of the violent and sanguinary character of the partners of the North-West Company and their previous proceedings, that neither the life of the Earl of Selkirk, nor the lives of his men, would have been safe, had they continued encamped without the Fort, but that they would have been cut off and massacred, if the said Earl of Selkirk had not immediately taken possession of Fort William.

(Signed)

ALEXANDER FRASER.

Sworn before me, this 6th
day of March, 1817.

(Signed)

J. M. MONDELET, J. P.

[N. N.]

Declaration of F. F. Boucher.

(See Observations, page 185.)

District de) **EXAMEN** volontaire de François Firmin
Montreal.) Boucher, accusé, sous serment, d'avoir, le dix-neuf Juin dernier, tué à la colonie de la Rivière Rouge, vingt-un hommes, au nombre des quels s'est trouvé le Gouverneur Semple.

Dit qu'il a tué qui-que-ce-soit ; qu'il fut envoyé quatre jours auparavant la mort du Gouverneur Semple, par un des associés de la Compagnie du Nord-Ouest, Mr. Alexander McDonell, du Portage de la Prairie, pour porter des vivres à l'endroit nommé la Grenouillère, environ trois lieues plus bas que Fort la Fourche dans la Rivière Rouge ; que lui et ses compagnons, pour éviter d'être aperçus des Colons de la Baie d'Hudson, passèrent dans les terres à distance éloignée du Fort de la Baie d'Hudson ;—que dans la vue d'affaiblir le parti de la Baie d'Hudson, les Bois-Brûlés avoient voulu enmener avec eux, des colons de la Baie d'Hudson, et, assistés de l'examiné pour les interpréter en Anglois ils s'étoient rendus à eux, et en avoient enmené un ;—que lorsqu'ils procedoient vers la Grenouillère, ils apperçurent un groupe d'hommes composés des gens de la Compagnie de la Baie d'Hudson ;—qu'alors un certain nombre d'hommes au service de la Compagnie du Nord-Ouest nommés Bois Brûlés joignirent l'examiné, et ses compagnons ;—que ceux-ci croyant que les gens de la Baie d'Hudson leur en vouloient, (parcequ'en s'avancant sur ceux du Nord-Ouest, ils tenoient en main leurs fusils) voulurent tirer sur eux, mais que l'examiné s'y opposa ;—qu' enfin lui, l'examiné, s'avanca seul sur le parti de la Baie d'Hudson pour parler à ceux qui le composoient, et approcha si près du Gouverneur Semple que celui-ci prit les rennes de la bride du cheval de l'examiné ;—qu'ils se parlèrent, que le Gouverneur se saisit de la crosse du fusil de l'examiné, et ordonna à ses gens d'avancer ;—que ceux-ci n'obéissant pas, et l'examiné disant que s'ils tiroient ils étoient tous morts, le Gouverneur Semple leur dit qu'il ne falloit pas craindre, qu'il n'en n'étoit pas le temps, et qu'il falloit tirer ;—qu'aussitôt l'examiné a entendu le rapport de deux coups de fusils tirés par les gens de la Baie d'Hudson ;—qu'à l'instant l'examiné s'est précipité de son cheval à terre, tenant cependant la crinière de son cheval, et que le cheval effrayé l'a ainsi trainé jusqu'à distance d'environ une portée de

